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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91218260
Party	Plaintiff Maurice D. Landers
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Submission	Response to Board Order/Inquiry
Filer's Name	Maurice D Landers
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Signature	/Maurice D Landers/
Date	09/09/2016
Attachments	Opposers Response To TTAB Order Redacted.pdf(143732 bytes) Declaration Maurice D Landers Opposer Redacted.pdf(50403 bytes) Exhibit A Letter 101014.pdf(4839961 bytes) Exhibit B To Jonathan Irwin Redacted.pdf(105247 bytes) Exhibit C Letter to Dixon 012815-1-1 compressed.pdf(824248 bytes) Exhibit D Letter to Dixon 012815-2-3 compressed.pdf(457016 bytes) Exhibit E Supplement Interrogatory No 28.pdf(17544 bytes) Exhibit F Letter from Dixon 021015.pdf(1797238 bytes) Exhibit G Redacted.pdf(21091 bytes) Exhibit H.pdf(174243 bytes) Exhibit I Howard Maxwell.pdf(103192 bytes) Exhibit J - Irish Examiner USA.pdf(319499 bytes) Exhibit K Shamrock Fund donation 2.pdf(66137 bytes) Exhibit L Shamrock Fund Donation.pdf(236052 bytes) Exhibit M Feedback after launch of Shamrock Fund.pdf(91183 bytes) Exhibit N Shamrock Fund Receipt.pdf(141140 bytes) Exhibit O IIBN Receipt.pdf(137223 bytes) Exhibit Q Deficiency Letter Opposer to Applicant.pdf(210133 bytes) Exhibit R Applicants Reply to Opposers Deficiency Letter.pdf(101867 bytes) Exhibit S R5. JJ Use.pdf(974626 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE
THE TRADEMARK TRIAL AND APPEAL BOARD

Maurice D. Landers,
Opposer,
v. Opposition No. 91218260
Mark: THE SHAMROCK FUND
Jack and Jill Foundation Limited, Application Ser. No. 79107704
Applicant.

UNITED STATES PATENT AND TRADEMARK OFFICE

Trademark Trial and Appeal Board

P.O. Box 1451

Alexandria, VA 22313-1451

**OPPOSER'S RESPONSE TO THE TRADEMARK TRIAL AND APPEAL BOARD ORDER
(8/12/16 - Before Cataldo, Mermelstein, and Shaw, Administrative Trademark Judges) TO SHOW
CAUSE WHY SUMMARY JUDGEMENT SHOULD NOT BE ENTERED AGAINST OPPOSER
ON THE FRAUD CLAIM AS WELL**

Maurice D. Landers ("Opposer") representing itself hereby submits this response to the Trademark Trial and Appeal Board order (8/12/16) to show cause why summary judgement should not be entered against Opposer on the fraud claim as well (Fed. R. Civ. P. 56(f)), and respectfully requests that the Trademark Trial and Appeal Board not enter summary judgement against Opposer on the fraud claim as well.

Opposer believes that Applicant committed fraud and intended to deceive for the following reasons (i.e. Opposer will show cause why summary judgement should not be entered against Opposer on the fraud claim as well):

Regarding TTAB Decision 8/12/16 - Before Cataldo, Mermelstein, and Shaw, Administrative Trademark Judges (Page 7, second paragraph).

"By the Board:

Opposer's fraud claim is based on Applicant's alleged false averment that "to the best of its knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive." Such averment is made as part of a declaration of bona fide intent to use the mark in commerce that is attached to a request for extension of protection of an international registration when such request is received by the International Bureau for transmittal to the USPTO. See Trademark Act Sections 60(5) and 66(a), 15 U.S.C. §§ 1141(5) and 1141f(a); TMEP §§ 1902.05 and 1904.01(c) (April 2016)."

Therefore, bona fide intent is required of Applicant.

The word "doubt" is neither implicit nor explicit in the words "bona fide" and "intent" (used separately or together).

Applicant, in an email to Opposer on 10/17/11 (Notice of Opposition, Exhibit 3) stated in part:

"The last thing on our minds would be to discommode you in your efforts by causing any confusion for you. Our prescence in New York will be minimal, unless we have another reception such as the one on 24th in Lily O'Briens I doubt the name will reappear as Jack and Jill is our banner. There is no intention to have a permament being in NYC."

Since Applicant stated that "...I doubt the name will reappear...", the Applicant did not have a bona fide intent to use the Shamrock Fund mark three days after its 10/14/11 declaration, as the word "doubt" is neither implicit nor explicit in the words "bona fide" and "intent". Regardless of whether Applicant had "another reception such as the one on 24th in Lily O'Briens" (which I don't believe it had), "doubt" represented the then current state of mind of the Applicant. Because Applicant had a doubt about its use of the trademark only three days after its 10/14/11 declaration, Applicant did not have a bona fide intent to use the mark in commerce.

Words such as "objective", "goal", "target", "plan", "ambition", "aspiration", "purpose" are related to the word "intent". Source - Thesaurus.com. Therefore, the word "intent" has a temporal element that implies continuity, whereby Applicant is required to have a bona fide intent to use the Shamrock Fund mark from the time Applicant made its declaration on 10/14/11. Because Applicant did not have a bona fide intent on 10/17/11, its intent therefore was not continuous (and its claim of mark invalidated), and Applicant knowingly made a false, material misrepresentation in connection with its application to register the Shamrock Fund on 10/26/11. Intent is not a momentary state of mind, rather an ongoing commitment post declaration in this case.

Additionally, by latest 10/17/11, Applicant knew that Opposer was using the Shamrock Fund mark, yet Applicant failed to disclose (omission) this information in its application/declaration on 10/26/11. (Notice of Opposition, Exhibit 3 "I got a signal via the Ireland Fund last week about Failte 32& Shamrock Fund")

See also:

Notice of Opposition and Notice of Opposition (Exhibit 2),

Exhibit A, "Letter 101014" under heading "FRAUD",

Exhibit B, "To Jonathan Irwin" (Opposer's reply to Exhibit A above),

Exhibit C, "Letter to Dixon 012815-1-1", particularly page 4 (from paragraph 4) & page 5 and Exhibits 9 & 11 within (remainder of Exhibit 11 is at beginning of Exhibit D below),

Exhibit D, "Letter to Dixon 012815-2-3" (Exhibit 12),

Exhibit E (scan of supplemental Interrogatory No. 28 that I sent to Applicant)

Exhibit F, "Letter from Dixon 021015", under "iii PRIORITY DATE" and "iv THREATENED INVALIDATION OF THE MARK" particularly paragraph 1.

(Exhibit B, Exhibit E and Exhibit C (page. 4, from paragraph 4) constitute Opposer's answer to Applicant's Interrogatory No. 28).

Interrogatory No. 28 Applicant's Response to Opposer's Interrogatories.

Applicant had a responsibility to declare this information in its application/declaration on 10/26/11 regardless of whether it is claiming 10/14/11 as its filing date. This information is material, and the only reason a person of sound mind would not disclose it is not because it would cause a great deal of burden to Applicant but rather to deceive. Even if Applicant is claiming 10/14/11 as its filing date, by latest 10/17/11 Applicant knew of Opposer's use of the same mark. Since Applicant knew that Opposer was using the mark (and therefore might have the right to use the mark in commerce), Applicant should not have declared on 10/26/11 that "to the best of its knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive." as Applicant knew by this stage that Opposer was claiming the right to use the mark in commerce. The Applicant cannot make such a declaration once another person (Opposer) has made known to Applicant its (Opposer's) claim to the mark, without first confirming the validity of Opposer's claim via the USPTO/TTAB. Had Applicant not received "...a signal via the Ireland Fund..." and not communicated with Opposer on 10/17/11, Applicant's declaration would have been true. Therefore, Applicant's declaration was knowingly false.

According to Notice of Opposition (Exhibit 3), by latest 10/17/11, or possibly as early as 10/10/11 ("I got a signal via the Ireland Fund last week about Failte 32& Shamrock Fund"), Applicant knew there was in fact another use of the same or a confusingly similar mark at the time the oath/declaration was signed by Applicant on 10/26/11, and quite possibly before the oath was signed by Applicant on 10/14/11 ("The last thing on our minds would be to discommode you in your efforts by causing any confusion for you.")

If Applicant believed that Opposer was not "possessed of a superior or clearly established right to use the same or a substantially identical mark for the same or substantially identical goods or services as those in connection with which registration is sought" (TTAB Decision 8/12/16, By the Board, footnote 11), Applicant could not have made this statement i.e. "The last thing on our minds would be to discommode you in your efforts by causing any confusion for you." Since Applicant was aware of the possibility of confusion in its use of the Shamrock Fund mark (attesting to Applicants state of mind) Applicant could only have believed that Opposer had superior rights over the mark because the Applicant has placed the Opposer in a position of priority by admitting that it does not want to cause Opposer "any confusion". If Applicant believed it had precedence over the mark, it would have stated that Opposer is causing confusion. The above statement therefore would have read "The last thing on your mind should be to discommode us in our efforts by causing any confusion for us". And how could Applicant "discommode" Opposer if it didn't believe that Opposer had rights in the mark superior to applicant's. Additionally, Applicant clearly knew that Opposer was claiming ownership of "the same or a substantially identical mark for the same or substantially identical goods or services as those in connection with which

registration is sought". See Notice of Opposition (Exhibit 3), and Exhibit A, "Letter 101014", under "CONCLUSION"

Therefore, Applicant knew that the other user (Opposer) had rights in the mark superior to applicant's, and believed that a likelihood of confusion would result from Applicant's use of the Shamrock Fund mark.

Additionally, it would seem reasonable to assume that if Applicant was cognisant of another person using what Applicant deemed belonged to it, it would have made it clear to Opposer at this stage that Opposer could not use the Shamrock Fund mark, rather than state that "The last thing on our minds would be to discommode you in your efforts by causing any confusion for you." See Notice of Opposition (Exhibit 3).

Opposer would then have had a fair opportunity to challenge Applicant's claim prior to Applicant's filing on 10/26/11.

Since Applicant has claimed 10/14/11 as its priority date, and stated in an email to Opposer three days later that "There is no intention to have a permanent being in NYC." (Notice of Opposition, Exhibit 3), Applicant's declaration of bona fide intent on 10/26/11 was false. Is not Applicant required to use, or intend to use, its mark in all 50 States without having the intention not to use it in one or more States? If this is not the case, Applicant could have no intention of using its mark in 40, indeed 49, of the 50 States and still lawfully retain its Federal trademark. See Exhibit F, Letter from Dixon 021015 under "iii PRIORITY DATE" and "iv THREATENED INVALIDATION OF THE MARK" particularly paragraph 2 sentence 1.

Additionally, since Applicant's U.S. launch of "The Jack and Jill Shamrock Fund" was held in New York, and Applicant stated seven days before its launch on October 24, 2011 that "There is no intention to have a permanent being in NYC." (Notice of Opposition, Exhibit 3), Applicant therefore did not have a bona fide intent to use the mark in U.S. commerce. See also Exhibit C, "Letter to Dixon 012815-1-1" (Exhibit 9).

"Opposer alleges in paragraphs 8 through 14 of the notice of opposition (1 TTABVue 5-6) that, in view of e-mail exchanges between Opposer's representative and Applicant's officers prior to the filing of Applicant's involved application, Applicant knew, when it filed that application, that "Opposer was using [his] trademark for SHAMROCK FUND, and claiming trademark rights to the same for [his] charitable fundraising services" and therefore committed fraud by making the aforementioned false averment in its application. Although these allegations do not expressly refer to an intent to deceive, we find that, taken together, they allege enough factual matter to constitute a sufficient pleading of a fraud claim. See *DaimlerChrysler Corp.*, 94 USPQ2d at 1088-89."

See TTAB Decision 8/12/16, By the Board, page 9, second paragraph.

I would like to make a correction to the allegation made in paragraph 10 of the Notice of Opposition. Applicant did not receive a copy of the email in Exhibit 1 (Notice of Opposition) prior to October 26, 2011. My previous lawyer made this error. I hope this doesn't affect Board's decision above that "Although these allegations do not expressly refer to an intent to deceive, we find that, taken together,

they allege enough factual matter to constitute a sufficient pleading of a fraud claim. See DaimlerChrysler Corp., 94 USPQ2d at 1088-89.”.

I don't believe it should based on remaining paragraphs 8, 9, 11, 12, 13 and 14.

I believe the reason for my previous lawyer's error is because [REDACTED]

Applicant's response to Opposer's Interrogatory No. 3 (in Applicant's Response to Opposer's Interrogatories) states in part that "The Applicant launched a new fundraising appeal, called The Shamrock Fund, in New York on 24th October 2011 at Lily O'Brien's Chocolate Café in Manhattan."

This answer by Applicant is false. The Applicant launched "The Jack and Jill Shamrock Fund", a totally different trademark. See also Exhibit C, "Letter to Dixon 012815-1-1" (Exhibit 9), an email inviting recipients to the launch of "The Jack and Jill Shamrock Fund" in New York.

Note 1: Applicant's communications with Opposer were made through both Forde Campbell LLC (www.fordelaw.com) and Lewis & Lin LLC (www.ilawco.com). I assume therefore that both law firms represent Applicant? On TTABVue, "NOTICE AND TRIAL DATES SENT; ANSWER DUE:" has a date of 9/10/2014. The Applicant's lawyer on this notice is Roberto Ledesma of Lewis & Lin LLC. Forde Campbell is the Applicant's lawyer in communications received by Opposer from Applicant on 10/10/14 (Exhibit A, "Letter 101014") and 02/10/15 (Exhibit F)

Note 2: Applicant's Response to Opposer's Interrogatories is signed by a Daniel Murphy, Director, Jack and Jill Foundation Limited. However, Interrogatory No. 5 does not have a Daniel Murphy listed as a person involved in The Shamrock Fund? Should not the Answers to the Interrogatories be signed by one or more of those listed in Interrogatory No. 5?

Note 3: Since the copy provided by Applicant in its Motion for Summary Judgement of Applicant's Response to Opposer's Request For Production does not include the actual Opposer requests, rather only the Applicant's responses, I have included the original complete copy of Opposer's First Set Of Document Requests To Applicant, just in case it might add clarity to my case. Exhibit H

"In addition, a plaintiff claiming that the declaration or oath in defendant's application for registration was executed fraudulently, in that there was another use of the same or a confusingly similar mark at the time the oath was signed, must allege particular facts which, if proven, would establish that: (1) there was in fact another use of the same or a confusingly similar mark at the time the oath was signed; (2) the other user had legal rights superior to applicant's; (3) applicant knew that the other user had rights in the mark

superior to applicant's, and either believed that a likelihood of confusion would result from applicant's use of its mark or had no reasonable basis for believing otherwise; and that (4) applicant, in failing to disclose these facts to the Patent and Trademark Office, intended to procure a registration to which it was not entitled.¹¹ “

See TTAB Decision 8/12/16, By the Board, page 8 last paragraph and page 9 first paragraph.

Foot note 11: “A declaration “is phrased in terms of a subjective belief, such that it is difficult, if not impossible, to prove objective falsity and fraud so long as the affiant or declarant has an honestly held, good faith belief.” J. Thomas McCarthy, McCarthy on Trademarks and Unfair Competition, § 31:76 (4th ed. 2015) (emphasis in original). An applicant's failure to disclose to the USPTO the asserted rights of another party is not fraudulent unless the applicant knew that the other party was possessed of a superior or clearly established right to use the same or a substantially identical mark for the same or substantially identical goods or services as those in connection with which registration is sought. Thus, if the parties' respective marks and goods or services are not substantially identical, then the applicant may have a reasonable basis for believing that contemporaneous use of such marks by the parties, on or in connection with their respective goods or services, is not likely to cause confusion. Intellimedia Sports Inc., 43 USPQ2d at 1207.”

See TTAB Decision 8/12/16, By the Board, page 9, foot note at end of page.

Points (1) and (2) above seem independent of Applicant's knowledge. If they are dependent on Applicant's knowledge, I believe my argument above has satisfied both points. If, on the other hand, they're independent of Applicant's knowledge, I'll address them as follows:

See Opposer's Answers To Applicant's First Set Of Interrogatories To Opposer (Applicant's Motion For Summary Judgement, Exhibit A), and both Deficiency letters (deficient interrogatories) from Applicant to Opposer (Applicant's Motion For Summary Judgement, Exhibit E).

See Opposer's Response To Applicant's First Set Of Document Requests To Opposer (Applicant's Motion For Summary Judgement, Exhibit A), specifically Document Request Nos. 10, 13, 19 and 21.

See Exhibit C, “Letter to Dixon 012815-1-1”,

See Exhibit D, “Letter to Dixon 012815-2-3”,

In addition to the above, the Exhibits below support Opposer's use of the same mark, and legal rights superior to Applicant's:

Exhibit I, Howard Maxwell,

Exhibit J, Irish Examiner USA Article (Opposer's idea to develop a “Fund” can be traced back to this article on June 21, 2011. August 22, 2011 was when Opposer first announced its soon to be launched Shamrock Fund - Exhibit C, “Letter to Dixon 012815-1-1 (Exhibit 1))

Exhibit K, ‘Shamrock Fund donation 2’.

Exhibit L, ‘Shamrock Fund Donation’. This donation was voluntarily offered by Tara McCabe in response to the announcement of our launch, and was not solicited.

Exhibit M, 'Feedback after launch of Shamrock Fund'

Exhibit N, 'Shamrock Fund Receipt' and Exhibit O, 'IIBN Receipt'. Exhibit C, 'Letter to Dixon 012815-1-1' (Exhibit 10 - this is the email communication where Opposer offers to pay Donal O'Conghaile's membership to the IIBN, and Exhibit N and Exhibit O are the receipt request and receipt respectively)

Exhibit P, Supporting Document. (This document was deleted by Opposer – please ignore)

Deficient Interrogatory No. 24 in Opposer's Deficiency Letter to Applicant requests:

"Please explain what you mean by "The Shamrock Fund mark has been the mark used to promote the Applicant's appeal since its US trademark application to register the mark was filed." What do you mean by "appeal"?"

The Applicant has not provided any evidence of 'use' so far, so I'm not quite sure how it can claim not to have ever ceased use?"

See Exhibit Q, 'Deficiency Letter Opposer to Applicant'

Applicant in its reply refers Opposer to "attachment labeled "R5. JJ Use" in responses served January 26, 2016."

i.e. in Applicant's Response to Opposer's Request For Production.

See Exhibit R, 'Applicant's reply to Opposer's Deficiency Letter'. See Exhibit S, "R5. JJ Use",

See also:

Interrogatory No. 3 (Applicant's Response to Opposer's Interrogatories),

Exhibit Q, Deficient Interrogatories No. 9 and No. 23,

Exhibit R, Deficient Interrogatories No. 9 and No. 23.

Since Applicant voluntarily gave an example of an email (Exhibit S, R5. JJ Use) sent to a number of recipients to substantiate its use of the mark (even though Opposer understands that Applicant does not bear the burden of proof), therefore Opposer's email on September 1, 2011 (See Notice of Opposition, Exhibit 1) to a number of recipients must also substantiate Opposer's use of the same mark prior to 10/14/11, because Opposer's email effectively serves the same purpose as that of Applicant's i.e. launch, invite (in the case of Opposer's email, IWT J-1 visa holders were invited to apply).

Applicant states in Exhibit A, "Letter 101014", page 1 (not the cover letter), last paragraph, last sentence, "We note that an email dated 1st September 2011, which purports to launch a fund called the "Shamrock Fund" is annexed to the Opposition. While this may be evidence of an intention on your client's part to use the unregistered Mark, it does not evidence actual use of the mark – a trademark cannot simply be 'reserved' by sending an email including the text to a number of recipients.", yet Applicant provides "R5. JJ Use" (i.e. an email including the text sent to a number of recipients) as evidence of its use of the mark.

Applicant can't claim its email as evidence of use (per signed interrogatories), while dismissing Opposer's email as evidencing only an intention to use the mark. Applicant is contradicting itself.

Therefore, Opposer respectfully requests that the Trademark Trial and Appeal Board not enter summary judgement against Opposer on the fraud claim as well.

Respectfully submitted,

Maurice D Landers

/Maurice D Landers/

30-80 33rd St., Fl. 3

Astoria, NY 11102

347 827 8713

mauricelanders@yahoo.com

Representing itself

Date: September 9, 2016

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served upon Applicant this 9th day of September, 2016, by mailing a copy thereof via first-class mail, postage pre-paid, to Roberto Ledesma, Lewis and Lin LLC, 45 Main Street, Suite 608, Brooklyn, NY 11201-8200.

/Maurice D Landers/

Maurice D Landers

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE
THE TRADEMARK TRIAL AND APPEAL BOARD

Maurice D. Landers,
Opposer,
v. Opposition No. 91218260
Mark: THE SHAMROCK FUND
Jack and Jill Foundation Limited, Application Ser. No. 79107704
Applicant.

UNITED STATES PATENT AND TRADEMARK OFFICE

Trademark Trial and Appeal Board

P.O. Box 1451

Alexandria, VA 22313-1451

**DECLARATION OF MAURICE D LANDERS IN SUPPORT OF OPPOSER'S RESPONSE TO
THE TRADEMARK TRIAL AND APPEAL BOARD ORDER (8/12/16 - Before Cataldo,
Mermelstein, and Shaw, Administrative Trademark Judges) TO SHOW CAUSE WHY
SUMMARY JUDGEMENT SHOULD NOT BE ENTERED AGAINST OPPOSER ON THE
FRAUD CLAIM AS WELL**

I, Maurice D Landers, declare as follows:

I am representing myself (Opposer) in this proceeding. I am competent to make this Declaration and the facts set forth in this Declaration are based on my personal knowledge or a review of business records.

Attached hereto as Exhibit A is a true and correct copy of a communication from Applicant's lawyer to Opposer on October 10, 2014 regarding Applicant's response to Opposition.

Attached as Exhibit B is a true and correct copy of a communication/email sent by Opposer on November 24, 2014 (not Opposer's lawyer) directly to Applicant (not Applicant's lawyer, but to Jonathan Irwin) in reply to Exhibit A.

Attached as Exhibit C is a true and correct copy of Opposer's (by Opposer's lawyer at the time) response (Part 1) on January 28, 2015 to Exhibit A.

Attached as Exhibit D is a true and correct copy of Opposer's (by Opposer's lawyer at the time) response (Part 2) on January 28, 2015 to Exhibit A.

Attached as Exhibit E is a true and correct copy of a supplement to Interrogatory No. 28 (Opposer's Answers to Applicant's First Set Of Interrogatories To Opposer) that Opposer sent to Applicant on September 14, 2015.

Attached as Exhibit F is a true and correct copy of Applicant's response on February 10, 2015 to Exhibit C and Exhibit D.

Attached as Exhibit G is a true and correct copy of a direct email communication (not via a lawyer) on October 17, 2011 from Jonathan Irwin (Applicant) to Maurice D. Landers (Opposer), [REDACTED]. This email is the Applicant's reply to Opposer's direct email to Applicant on October 16, 2011 (Notice of Opposition, Exhibit 2)

Attached as Exhibit H is a true and correct copy of Opposer's First Set Of Document Requests To Applicant.

Attached as Exhibit I is a true and correct copy of an email communication from a Howard Maxwell on September 1, 2011 to Opposer in response to Opposer's announcement on September 1, 2011 of its launch of the Shamrock Fund (Notice of Opposition, Exhibit 1).

Attached as Exhibit J is a true and correct copy of an article in the Irish Examiner USA which shows that Opposer's idea to develop a "Fund" can be traced back to this article on June 21, 2011 (August 22, 2011 was when Opposer first announced its soon to be launched Shamrock Fund - Exhibit C, "Letter to Dixon 012815-1-1 (Exhibit 1)).

Attached as Exhibit K is a true and correct copy of email communications between Opposer and a Donal O'Conghaile from September 1, 2011 to October 10, 2011, where Opposer agrees to pay, through the Shamrock Fund, Mr O'Conghaile's annual membership to two organizations. See also Exhibit C (exhibit 10)

Attached as Exhibit L is a true and correct copy of an email from a Tara McCabe on September 2, 2011, where Ms. McCabe offers to pay, on behalf of a Shamrock Fund recipient, the equivalent of the annual membership to the IN-NYC, and Irish American business/networking organization. This donation was voluntarily offered by Tara McCabe in response to the announcement of the launch of the Shamrock Fund on September 1, 2011 (Notice of Opposition, Exhibit 1), and was not solicited.

Attached as Exhibit M is a true and correct copy of an email from a Pat Carroll on September 1, 2011, where Mr. Carroll, after receiving the email announcing the launch of the Shamrock Fund (Notice of Opposition, Exhibit 1), offers positive feedback on the initiative.

Attached as Exhibit N is a true and correct copy of email communications between Opposer and a Fionuala Pender (IIBN) from September 15, 2011 to September 20, 2011, where Opposer requests a copy of the receipt for the payment of Donal O'Conghaile's membership to the IIBN. This payment was made through the Shamrock Fund. (See Exhibit K)

Attached as Exhibit O is a true and correct copy of the actual receipt (September 17, 2011) relating to Exhibit N.

(Note: Exhibit C, 'Letter to Dixon 012815-1-1' (exhibit 10) is the email communication where Opposer agrees to pay, through the Shamrock Fund, Donal O'Conghaile's annual membership to the IIBN, and Exhibit N and Exhibit O are the receipt request and receipt respectively)

Attached as Exhibit P is a true and correct copy of Supporting Document. (This document was intentionally deleted by Opposer – please ignore)

Attached as Exhibit Q is a true and correct copy of a Deficiency Letter sent by Opposer to Applicant on February 2, 2016.

Attached as Exhibit R is a true and correct copy of Applicant's responses to discovery deficiencies dated February 9, 2016 i.e. response to Opposer's Deficiency Letter (Exhibit Q).

Attached as Exhibit S is a true and correct copy of an attachment Applicant directs Opposer to in Applicant's response to deficient interrogatory No. 24 (and deficient interrogatories Nos. 9 & 23).

I declare under penalty of perjury that the foregoing is true and correct. Executed this 9th day of September, 2016 at New York, New York.

/Maurice D Landers/

Maurice D Landers

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**FORDE
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10 October 2014

F.A.O. Mr. Darren S. Rimer
Rimer & Mathewson LLP
30021 Tomas, Suite 300
Rancho Santa Margarita
CA 92688

Your ref: LANDM-002M
Our ref: /MGF/JAC0010016

doc number: let03.000

BY POST AND EMAIL
(Darren@rimermath.com)

WITHOUT PREJUDICE/ FOR SETTLEMENT PURPOSES

Dear Sirs,

Re: Opposition of US Trademark application, serial no. 79/107,704 by Jack and Jill Foundation Ltd (our client)

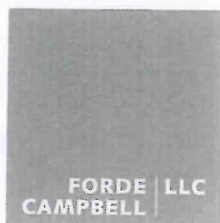
We refer to our letter of 2 October 2014 (a copy of which is enclosed for your convenience).

Given the proximity of the deadline for our client to respond to the opposition, we had requested that you reply by the close of business on 9 October 2014. We note that we are yet to receive any correspondence from your office. As such, we will be advising our client to file a Response to the Opposition forthwith.

Yours faithfully,



FORDE CAMPBELL LLC



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2 October 2014

F.A.O. Mr. Darren S. Rimer
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CA 92688

Your ref: LANDM-002M
Our ref: /MGF/JAC0010016
doc number: let03.000

WITHOUT PREJUDICE/ FOR SETTLEMENT PURPOSES

Dear Sirs,

Re: Opposition of US Trademark application, serial no. 79/107,704

We are the lawyers for Jack and Jill Foundation Limited (our client), the applicant for registration of the text, 'THE SHAMROCK FUND' (the Mark) as a trademark in the US (such application, Application). We have recently received a copy of the opposition (Opposition) filed by your firm on behalf of Mr. Maurice D. Landers (your client/ the Opposer). We do not believe that the grounds on which the Opposition is based are sustainable for the reasons set out below.

PRIOR RIGHTS

From the points pleaded in the Opposition, your client does not appear to be the proprietor of a registered trademark either identical with or similar to the Mark. Your client's position (which our client disputes) is that he has acquired rights in and to the text, 'THE SHAMROCK FUND' within the United States on the basis of his use of the text "*in interstate commerce*" for "*the business of offering charitable services and charitable fundraising services*" (the mark claimed by your client, the Unregistered Trademark). His use, it is claimed, predates the filing date (26 October 2011) and priority date (14th October 2011) of our client's Application. It is also claimed that his use of the Unregistered Trademark has been "*continuous*" and "*serves to indicate to the trade and consuming public the services originating from the Opposer.*"

On the basis that your client has a prior right in the Unregistered Trademark, it is claimed that registration and use of the Mark by our client is likely to cause "*confusion, deception and mistake*" and that its use of the Mark "*interferes*" with your client's use of his Unregistered Mark. In addition, it is claimed that our client's use of or the registration of the Mark will "*seriously damage*" your client.

Our client does not accept that your client has prior rights as claimed. Firstly, your client has not provided any evidence substantiating his claim to have made use of his Unregistered Trademark. We note that an email dated 1st September 2011, which purports to launch a fund called the '*Shamrock Fund*' is annexed to the Opposition. While this may be evidence of an *intention* on your client's part to use the Unregistered Mark, it does not evidence actual use of the Mark – a trademark cannot simply be 'reserved' by sending an email including the text to a number of recipients.

Secondly, even if your client were able to prove actual use of the Unregistered Mark for the purpose of providing charitable services, he would still need to substantiate his claim that such use has been continuous. No evidence is provided in the Opposition to show that the Unregistered Trademark is currently being used. We note that the domain name, 'shamrockfund.org', which is owned by your client, is currently being used to promote car hire in Hawaii. A screenshot of the website accessible via the domain name in question is appended hereto at Annex 1. If this is the only use which is currently being made of your client's Unregistered Trademark, his claim as to continuous use is untenable, and undermines any argument that he is the proprietor of any current rights in and to the Unregistered Trademark.

If this is the case, it is also difficult to see how our client's use of the Mark for charitable services could generate any "confusion, deception and mistake" on the part of the public; how it could interfere with your client's use of the Unregistered Trademark; or cause any "serious damage" whatsoever to your client by confusing the public.

DILUTION

A further ground claimed by your client in the Opposition is that the use or registration of the Mark will "lessen or diminish the capacity of the Opposer's famous Trademark SHAMROCK FUND to identify and distinguish the services offered by the Opposer..."

To be "famous" under the Lanham Act, a trademark must be "widely recognized by the general consuming public of the United States as a designation of source of the goods or services of the mark's owner." Factors such as the duration, extent and geographical reach of advertising of the mark as well as the extent of actual recognition of the mark will be considered. No evidence of extensive use by your client of the Unregistered Trademark is provided in the Opposition. Indeed in the email correspondence from your client to Senator Mary Ann O'Brien and Jonathan Irwin (attached as exhibit 2 in the Opposition), your client describes his organisation, Failte32, as:

"a purely voluntary initiative that was organized by a few business people in the Irish American community in New York, with the support of over 20 affiliated Irish American organizations and numerous strategic partners..."

and expresses his view that "the announcement of the Shamrock FundSM would have been communicated to most of the main players in the Irish American community in New York." It is extremely unlikely that awareness of the Unregistered Trademark by the main players in that very distinct community would meet the requisite threshold to be considered "famous" for the purpose of the Lanham Act. As such, our client does not accept the dilution of the Unregistered Trademark as a valid ground upon which to oppose its Application.

FRAUD

The third ground claimed by your client in his Opposition, is that our client made a fraudulent declaration when submitting the Application. In order to make the Application, our client was required to certify, under penalty of perjury, that to the best of its knowledge and belief the Applicant was entitled to use the Mark in

commerce, and that no other entity had the right to so use the Mark (**Declaration**). Your client claims that this Declaration was made falsely by our client. Three emails are appended to the Opposition which purport to evidence your client's claim that, at the time of making the Application, our client was aware of your client's rights in the Unregistered Trademark. The first exhibit is a copy of an email sent to a number of recipients on 1 September 2011, announcing the launch of a fund called the 'Shamrock Fund SM'. Our client does not appear to be included among the list of recipients of the email.

Exhibit 2 is a copy of an email dated 16 October 2011, sent from your client to Senator Mary Ann O'Brien and Jonathan Irwin, the CEO of our client. In the body of the email, your client claims that the Shamrock Fund has recently been launched, and states that your client has applied for the registration of the Unregistered Trademark in New York state; that he owns the domain name, shamrockfund.org, and that he has filed for reservation of the "Shamrock Fund" as a corporate name with the New York State Department. It is not stated whether the domain name, corporate name or state registration were intended for use in connection with the fund itself or for other purposes (as aforementioned the domain name does not appear to have been used in connection with the provision of any charitable services). Our client does not deny receiving the email. However, we would highlight the fact that the email was received by our client *after* the Application was filed on 14 October 2011. A copy of the Declaration is attached hereto at Annex 2.

The third exhibit attached to the Opposition is a copy of an email sent from Mr. Irwin to your client, dated 17 October 2011. In the email, our client indicates that he heard about the Shamrock Fund from conversations "*last week*". It is unclear why this email would be exhibited as evidence of our client's knowledge of the rights claimed by your client. The 17 October was a Monday. As such, this email proves nothing more than that our client became aware of vague facts prior to 17 October – which could clearly have been after the Declaration was signed. In any event, speculation about what our client knew or did not know about your client prior to 17 October is neither here nor there and completely academic. What is clear from the email exhibited, however, is that our client had instructed his lawyers (our firm) to file the Application some months prior to the date of the email in question. Indeed instructions were first received by our firm on 29 August 2011. A copy of the instructing email sent by our client to this firm together with our response is attached hereto at Annex 3.

To put the matter into context, the idea to use the Mark had originated with our client at the start of August 2011 – almost 4 weeks prior to any announcement which may have been made by your client. The idea was conceived by Mr. Irwin after he spotted a photograph of a 1917 poster bearing the slogan, 'the Shamrock Fund', which appeared in the Irish Times on 6 August 2011. In or around 25 August, our client instructed a designer to adapt the poster for our client's use. In other words, our client's decision to register the Mark originated from ideas completely independent of your client. A copy of the article in the newspaper, along with the email thread between our client and the designer is attached at Annex 4.

CONCLUSION

We have advised our client that the grounds upon which your client's Opposition is based are not sustainable. As such, our client is determined to fight the Opposition should it be necessary to do so. However, our client is mindful that both parties work for charitable purposes and that their funds could therefore be much better directed than fighting a trademark opposition.

If your client were able to show that it has continuously used the Unregistered Trademark for charitable purposes (including the geographical extent of such use) from a date prior to our client's origination of its Mark, then our client would be prepared to enter into negotiations with your client to see if some kind of co-existence agreement could be agreed. To this end, our client has requested that your client provide further information in respect of its use of the Unregistered Trademark in order to assist the parties in ascertaining whether an agreement might be a possibility.

In light of the proximity of the deadline for responding to the formal Opposition, we would request that the information be provided as a matter of urgency and in any event within 5 working days of the date of this letter. If we do not receive the information requested within this timeframe, our client will file a formal rebuttal to the Opposition, which will have cost implications for both parties. Our client very much hopes to avoid this outcome and looks forward to finding an amicable resolution between the parties.

In the meantime, all of our client's rights are reserved.

Yours faithfully,



FORDE CAMPBELL LLC

Enc.

ANNEX 1

SCREENSHOT OF WEBSITE

shamrockfund.org



Related Links

- Car Hire Kona Hawaii
- Kona Hawaii Airport



Related Links

- Car Rental on Maui
- Cheap Calling Cards

Re

Related Links: Honolulu Hawaii Maui Hawaii Free Telephone Calls Cheap Hawaii

Privacy Policy

ANNEX 2

DECLARATION

MADRID AGREEMENT AND PROTOCOL CONCERNING THE
INTERNATIONAL REGISTRATION OF MARKS

DECLARATION OF INTENTION TO USE THE MARK – UNITED STATES OF AMERICA

(to be annexed to each international application or subsequent designation in which the United States of America is a designated Contracting Party)

IMPORTANT

1. This form contains the exact wording of the declaration of intention to use the mark required by the United States of America. It should not be amended in any respect. Deletions, modifications or inclusions of text will result in the declaration being considered as irregular.
2. The United States of America has required that the declaration of intention to use the mark be made in English, even if the international application or the subsequent designation is in French. Therefore, this form is available in English only.



World Intellectual Property Organization
34, chemin des Colombettes, P.O. Box 18,
1211 Geneva 20, Switzerland
Tel.: (41-22) 338 9111
Fax (International Trademark Registry): (41-22) 740 1429
e-mail: intreg.mail@wipo.int – Internet: <http://www.wipo.int>

DECLARATION OF INTENTION TO USE THE MARK: UNITED STATES OF AMERICA

By designating the United States in the international application/subsequent designation, the person signing below declares that:

- (1) the applicant/holder has a *bona fide* intention to use the mark in commerce that the United States Congress can regulate on or in connection with the goods/services identified in the international application/subsequent designation;
- (2) he/she is properly authorized to execute this declaration on behalf of the applicant/holder;
- (3) he/she believes applicant/holder to be entitled to use the mark in commerce that the United States Congress can regulate on or in connection with the goods/services identified in the international application/subsequent designation; and
- (4) to the best of his/her knowledge and belief no other person, firm, corporation, association, or other legal entity has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive.

I declare under penalty of perjury under the laws of the United States of America that all the foregoing statements are true and correct to the best of my knowledge and belief. I understand that willful false statements and the like may jeopardize the validity of the application or document or any registration resulting therefrom, and are punishable by fine or imprisonment, or both (18 U.S.C. §1001), 35 U.S.C. §25(b).

Signature

Date of execution (dd/mm/yyyy)

Signatory's Name (Printed)

Signatory's Title

INSTRUCTION

This declaration must be signed by:

- (1) the applicant/holder or a person with legal authority to bind the applicant/holder; or
- (2) a person with firsthand knowledge of the facts and actual or implied authority to act on behalf of the applicant/holder; or
- (3) an attorney who is authorized to practice before the United States Patent and Trademark Office under 37 C.F.R. §10.1(c), who has an actual written or verbal power of attorney or an implied power of attorney from the applicant/holder.

INFORMATION REQUIRED BY THE INTERNATIONAL BUREAU

- (a) Where the present declaration refers to an international application based on a basic application, indicate:
Basic application number: 010342339 Date of the basic application: 14/10/2011 (dd/mm/yyyy), or
- (b) Where the present declaration refers to an international application based on a basic registration, indicate:
Basic registration number: _____ Date of the basic registration: _____ (dd/mm/yyyy), or
- (c) Where the present declaration refers to a subsequent designation of an international registration, indicate:
International registration number: _____
International Bureau's reference (where applicable): _____
Name of applicant/holder: _____

ANNEX 3

INSTRUCTIONS

From: Janette Byrne [mailto:JByrne@JackAndJill.ie]
Sent: 29 August 2011 13:38
To: Mathew Forde
Cc: Jonathan Irwin
Subject: FW: TradeMark - The Shamrock Fund

Hi Mathew,

Please see Jonathan's e-mail below – another trade mark to register

Many thanks

Janette

PS: Please contact Jonathan with regard to the categories etc 087 2558451 or at the office 00 353 45 894538

Janette Byrne
Finance Administrator

Tel: 045 894538
Fax: 045 894558
Web: www.jackandjill.ie

All used mobile phones and ink-jet cartridges are invaluable to us!
To donate, please call Lo-call 1850 525 545 or post to –

THE JACK AND JILL MOBILE APPEAL, FREEPOST, DUBLIN 11

From: Jonathan Irwin
Sent: 29 August 2011 13:31
To: Janette Byrne
Subject: TradeMark

Can you get hold of Matthew Ford and ask him to register
"The Shamrock Fund" world wide

Kindest regards,

Jonathan

Jonathan Irwin
C.E.O.

Text Campaign. Text the word "PINT" to 57034. Cost €5 (Cost of a pint) Our children receive €4.95. Sláinte!

Help us today to raise funds by donating your old mobile phone, printer cartridges and computer equipment!

From: Mathew Forde [mailto:Mathew@fordelaw.com]
Sent: 29 August 2011 14:52
To: Janette Byrne
Cc: Jonathan Irwin; Katey Dixon; joanne young
Subject: RE: TradeMark - The Shamrock Fund

Hi Janette,

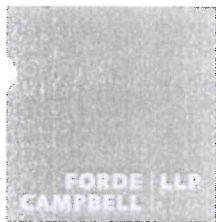
Thanks for the email. Yes we can certainly prepare a costing for you to register this mark internationally. Firstly we will conduct a search to see what is out there, either the same or similar to this mark.

I'll give Jonathan a call to discuss classes of goods/services. Presumably this fund will be involved in charitable fundraising.

Kind regards

Mathew

MATHEW FORDE
Partner



Main Office: +44 (0) 8450 36 11 33
Direct Dial: +44 (0) 28 44 61 07 83
Fax: +44 (0) 28 44 61 91 54
Mobile: +44 (0) 797 3690 372
Email: mathew@fordelaw.com
Web: www.fordelaw.com

This e-mail (including any attachments), is confidential and intended only for the use of the addressee(s). It may contain information covered by legal, professional or other privilege. If you are not an addressee, please inform the sender immediately and destroy this e-mail. Do not copy, use or disclose this e-mail. E-mail transmission cannot be guaranteed to be secure or error free. The sender does not accept liability for any errors or omissions in the contents of this message which arise as a result of e-mail transmission. If verification is required please request a hard copy version.

ANNEX 4

SHAMROCK FUND DOCUMENTS

Saturday, August 6, 2011

Fine Art & Antiques

Portrait of a golfer in Northern Ireland show

NORTHERN Ireland's golfers have been creating waves recently so the timing – and a Co Down venue – could hardly be more appropriate to exhibit a rare fine art image of the sport. *Portrait of Dolly Siles* by Irish artist Sir William Orpen (1878-1931) depicts a young Scottish socialite carrying a set of clubs and was painted in 1916.

Orpen had been a house guest of her parents in East Lothian and the portrait was commissioned by Sir Harold and Lady Siles to mark their daughter's 21st birthday.

Incidentally, Orpen went on to produce probably the most famous picture of a golfer when he was commissioned to paint a portrait of Edward, Prince of Wales (later King Edward VIII) – honorary captain – by The Royal and Ancient Golf Club in St Andrews.

The portrait of Dolly is among some 50 paintings and sculptures selected from private collections for a summer exhibition, *A Celebration of Irish Art and Mod-*

ernism organised by Adam's at the Ava Gallery in Bangor, Co Down. The gallery is in the grounds of the Clondeboy Estate, home of Lady Dufferin, The Marchioness of Dufferin and Ava.

The exhibition could make for a pleasant afternoon for anyone holidaying up North or a day trip from the South – the location is a two-and-a-half hour drive from Dublin. In addition to the Orpen, there are pictures by many of the major figures of 20th century Irish art, including Sean Keating, Mary Swanzy and Jack B Yeats.

The paintings are not for sale and entry is free to the exhibition which runs until September 3rd. Gallery talks take place on Wednesday August 16th (Dr S B Kennedy at 5pm) and on Wednesday August 20th (Dr Róisín Kennedy at 4pm). Golfers can also avail of Clondeboy Estate's "pay-and-play" Blackwood Golf Centre. See adams.ie/clondeboy

— Michael Parsons



Portrait of Dolly Siles by Sir William Orpen is included in Adam's exhibition at the Ava Gallery, Clondeboy Estate, Bangor, Co Down

ERIN'S APPEAL TO AMERICA
HELP MY IRISH
DISABLED



SHAMROCK FUND

A poster designed for the Shamrock Fund, launched to raise money for Irish soldiers. Picture: Courtesy Swann Auction Galleries

Holidaymakers snap up art

HOLIDAYMAKERS from Dublin and Cork were the main buyers at last Sunday's sold-out art auction in the west Cork resort of Skibbereen.

Auctioneer Morgan O'Driscoll said all 111 lots sold in the no-reserve sale. Prices were generally lower than estimates but he was pleased with the results and said viewing and attendance figures were up on recent auctions.

Three paintings by local artist Martin Stone featured among the top five sellers and the top lot was his oil-on-canvas, *Ballydehob, Co Cork* which made €1,600 (€3,000-€3,500).

Meanwhile in Coanentra on Wednesday, Dolan's Art Auction House sold 75 per cent of lots when some 240 paintings went



under the hammer at the Ballynabrin Castle Hotel near Recess. Auctioneer Dr Niall Dolan said there was a big crowd at the

viewing a mix of local buyers

-----Original Message-----

From: Conor [mailto:conor@javelin.ie]

Sent: 25 August 2011 11:22

To: Jonathan Irwin

Subject: FW: Jack & Jill A4

Kindest regards,

Jonathan

Jonathan Irwin

C.E.O.

Text Campaign. Text the word "PINT" to 57034. Cost €5 (Cost of a pint) Our children receive €4.95. Sláinte!

Help us today to raise funds by donating your old mobile phone, printer cartridges and computer equipment!

FREEPOST ADDRESS @ THE JACK AND JILL MOBILE APPEAL, FREEPOST, RATOATH ROAD, FINGLAS, DUBLIN 11 –
1850 52 55 45

-----Original Message-----

From: Conor [mailto:conor@javelin.ie]

Sent: 25 August 2011 11:22

To: Jonathan Irwin

Subject: FW: Jack & Jill A4

Morning, Sir.

This is worked up as a magazine page, and a couple of things arise. It's necessary to keep much of the original, both to preserve recognition and to register what we've actually done.

This necessitates a bit of a clash, and I'm not sure you'd be the last man with an eyebrow raised in Sotheby's for it. Oddly, or serendipitously, the perspective still works, just.

The more significant issue is the curse of intellectual property. Frankly, I have no idea who owns it, and whether that might be vested in whoever bought it last week, or the original artist.

You would probably need to get a legal opinion on this, before risking the ire of our litigious friends across the water. Or perhaps you know who bought it, and can simply ask them.

While I think of it, Kieran McLoughlin of the Ireland Funds would be just the man to know what plutocratic Irish America reads, and if he gives you a title I'll cost it for you.

Off to Crete at an absurd hour of tomorrow morning, and then just the 17 hours in an assortment of sardine tins. Curious what an ordeal we've made of travel. Back here on September 12, and we can pick it up then.

Thanks again for posh thuggery.

C.

-----Original Message-----

From: Jonathan Irwin
Sent: 25 August 2011 14:06
To: 'Michael Hannon'
Cc: 'Carmel Doyle'
Subject: FW: Jack & Jill A4

PLs look at attachment and see what you think.

Kindest regards,

Jonathan

Jonathan Irwin
C.E.O.

Text Campaign. Text the word "PINT" to 57034. Cost €5 (Cost of a pint) Our children receive €4.95. Sláinte!

Help us today to raise funds by donating your old mobile phone, printer cartridges and computer equipment!

FREEPOST ADDRESS @ THE JACK AND JILL MOBILE APPEAL, FREEPOST, RATOATH ROAD, FINGLAS, DUBLIN 11 –
1350-52 55 45

Shamrock Fund

People
maurice landers
To
Jonathan Irwin
BCC
Darren S. Rimer
Nov 24, 2014

Dear Jonathan

With regards to the recent communications you and I have had with each other's lawyers relating to your registration of the name Shamrock Fund, I feel it necessary to send you a personal email prior to my lawyer sending your lawyer our substantive response. Please see attached.

Kind regards
Maurice D. Landers

Attachment:

Dear Jonathan,

With regards to the recent communications you and I have had with each other's lawyers relating to your registration of the name Shamrock Fund, I feel it necessary to send you a personal email prior to my lawyer sending your lawyer our substantive response.

I would first like to refer back to your email reply to me on October 17 2011, and I will then address your lawyer's reply to my lawyer's opposition to your registration of the Shamrock Fund.

In your email, you had told me that *"...I doubt the name will reappear as Jack and Jill is our banner"*, but you then proceed to register the Shamrock Fund with the USPTO on October 26, 2011, approx. 2 weeks later. Why would you do that?

I was also under the impression that you were temporarily going to use the words Shamrock Fund in conjunction with the words Jack and Jill:

"We are using the name solely as an addition to The Jack and Jill Childrens Foundation....".

After all, that is how you had worded it for your reception on October 24th 2011 "*The Jack and Jill Shamrock Fund*".

[REDACTED]

I will now address your lawyer's reply to my lawyer's opposition to your registration of the Shamrock Fund.

Page 1 of your lawyer's reply, paragraph 3 under heading PRIOR RIGHTS, second to last line:

"... - a trademark cannot simply be 'reserved' by sending an email including the text to a number of recipients."

Yes, I agree, a trademark cannot necessarily be reserved by just sending an email, but your lawyer's statement would only apply to a situation where I have not yet offered or received donations. I did offer financial support under the Shamrock Fund when I launched it, so your lawyer's point is a moot one. And although I did receive requests for financial support almost immediately after the launch of the Shamrock Fund, even if I didn't, 7-8 weeks is not a reasonable time for you to claim that the Shamrock Fund is not in use, as the offer of financial support was continuously out there. The below link is a newsletter I sent out on October 24, 2011 (coincidentally 2 days before you registered my Shamrock Fund name)

[Failte32.org Newsletter – Shamrock Fund Update, Requests from New Arrivals for Assistance, Senior Support, DV Lottery 2013, and more.... | Failte32 connecting the Irish in NYC](#)

Same heading paragraph 4, second line:

"...he would still need to substantiate his claim that such use has been continuous".

I will substantiate my claim (particularly "use" from the time I launched the Shamrock Fund on September 1, 2011 to the time you filed an application to register the Shamrock Fund on October 26, 2011), but regardless, your claim of my Shamrock Fund name seems very aggressive 7-8 weeks after I launched the Fund. After a first charitable fund is launched, it seems quite predatory for another established charitable organization to claim ownership of the same name just 7-8 weeks later.

Same paragraph, line 4:

"We note that the domain name, 'shamrockfund.org', which is owned by your client, is currently being used to promote car hire in Hawaii."

My website has not yet been developed, and although my hosting company (Network Solutions) is advertising for various types of businesses, this does not detract from my use of the Shamrock Fund for my services since September 1, 2011. As you are probably aware, operation of a website is not required to maintain trademark rights.

Paragraph 5, your lawyer states:

"...it is also difficult to see how our client's use of the mark for charitable services could generate any "confusion, deception and mistake" on the part of the public; how it could interfere with your client's use of the Unregistered Trademark; or cause any "serious damage" whatsoever to your client by confusing the public."

I will refer back to your email to me on October 17, 2011 where you state *"The last thing on our minds would be to discommode you in your efforts by causing any confusion for you."* Your very own words! Clearly, you also recognized that my use predated your October 17, 2011 e-mail to me. This is going to be an easy one.

Under the heading DILUTION, second paragraph, your lawyer's statement that I can't claim the Shamrock Fund to be *"famous"* under the Lanham Act, I will have to check this with my lawyer. Perhaps your lawyer is right, but this claim is not the main basis for my opposition. And the Irish and Irish American community whom I sent my newsletter out to would certainly represent a large readership here in the U.S. that might very well render the Shamrock Fund *"famous"*.

Under the heading FRAUD, (longest section in your lawyer's reply), paragraph 2, line 6:

"It is not stated whether the domain name, corporate name or state registration were intended for use in connection with the fund itself or for other purposes (as aforementioned the domain name does not appear to have been used in connection with the provision of any charitable services)."

Your lawyer certainly seems to be scraping the bottom of the barrel with that one. Try telling that to a judge! And again, the portal page that Network Solutions set up as a default website has very little to do with me, so your lawyer's point is again a moot one.

Same paragraph, second to last line:

"However, we would highlight the fact that the email was received by our client after the Application was filed on 14 October, 2011. A copy of the Declaration is attached hereto at Annex 2."

I notice that your lawyer provides the DECLARATION OF INTENTION TO USE THE MARK filed on October 14, 2011, not the actual legal Application that was subsequently filed on October 26, 2011. Was this intentional? Why would he refer to the DECLARATION OF INTENTION TO USE THE MARK instead of the actual legal Application? All that matters is the actual legal Application that was filed October 26, 2011, but I suppose you can't argue against the fraud allegation if that date is used. Even if you were unaware of my use of the Shamrock Fund on October 14, 2011 when you filed the DECLARATION OF INTENTION TO USE THE MARK, you should certainly have truthfully reflected your knowledge of my use of the name Shamrock Fund when you filed the actual legal Application on October 26, 2011.

[REDACTED]

Since October 26, 2011 is when the actual legal Application was filed by you, Paragraph 3 is mostly irrelevant based on your knowledge of my use of the Shamrock Fund i.e. your email reply to me on October 17, 2011, and therefore the fraud allegation still clearly stands as you were clearly aware of my use of the Shamrock Fund on October 26, 2011. I will note though that your lawyer's twisting of the words *"last week"* is humorous. I rarely hear people say *"last week"* when referring to the day before, or this past Saturday or Friday, but hey, I suppose we all speak our own language at the end of the day.

And even more of a stretch is your lawyer's reiteration of the words *"some months ago"* to refer to a period of time from August 29, 2011 - October 17, 2011. You say in your email to me on October 17, 2011 that *"To fill you in quickly we applied for the name on a worldwide basis in the Charitable Section some months ago"*, and now according to your lawyer's reply, your lawyer was first informed by you to register the name Shamrock Fund on August 29, 2011 - that's 7 weeks to the day according to my calculations, hardly *"some months"* ago. It's not even 2 months.

Paragraph 4, line 1:

"...the idea to use the Mark had originated with our client at the start of August 2011 - almost 4 weeks prior to any announcement which may have been made by your client."

I suppose we can all claim to have come up with ideas retroactively after the fact, but the fact remains that your request to your lawyer to register the Shamrock Fund was apparently made on August 29, 2011, 7 days after my first announcement (August 22, 2011) to the Irish and Irish American community of my impending launch of the Shamrock Fund shortly thereafter on September 1, 2011. [REDACTED]
[REDACTED]
[REDACTED]

See link below:

[Failte 32 Newsletter – J1'ers...Get Your Tax Refund!, New Failte 32 'Shamrock Fund', J1'ers Great Ambassadors for Ireland in USA, and more... | Failte32 connecting the Irish in NYC](#)

Additionally, my announcement of my impending launch of the Shamrock Fund on August 22, 2011, was also made 3 days before you instructed a designer to adapt the Shamrock Fund poster for your use. You have not, and I assume you cannot, provide any reference, written or otherwise, of your idea to launch the Shamrock Fund prior to my announcement on August 22, 2011, and according to the email threads provided by your lawyer in Annex 2 and 3, it seems to be the first time your close and trusted business colleagues (I will assume), cc'd on these emails, ever even heard of 'your' idea to register the Shamrock Fund.

And my announcement on August 22, 2011 of my launch of the Shamrock included a reference to the same Irish Time's article your lawyer describes in his reply. Anyone can then determine where else the photograph/poster first appeared in the media and claim its date of publication as the date when their idea to use the Shamrock Fund name originated. Therefore, your lawyer's claim above *"the idea to use the mark had originated with our client at the start of August 2011 - almost 4 weeks prior to any announcement which may have been made by your client."*, is, to emulate your lawyer's own words earlier, neither here nor there and completely academic.

Note: I don't fully understand one of the emails in the email thread that your lawyer is referring to in Annex 4. The first email is sent from a gentleman named Conor to you but the email is signed by you, and has no content whatsoever? Nothing suspicious here, but just a little confusing.

Under the heading CONCLUSION, second paragraph, I must say that it's very nice of your lawyer to possibly offer me some kind of co-existence agreement, but I don't think he's in a position to make that offer as it is certainly not his prerogative. But I may consider offering you such an option.

Therefore, I am appealing to your honesty and integrity (and I assume you are an honest man) to stop your efforts to oppose what is rightfully mine, and which was originally my idea and acted upon first. [REDACTED]

[REDACTED] However, as of October 17, 2011, you clearly recognized my rights in the name The Shamrock Fund, and you did not take any steps to abandon your plans to trademark the name The Shamrock Fund. Based on the above and in the spirit of law and justice, anyone can clearly see that to proceed forward with your effort to register the Shamrock Fund would be to only substantiate wrongdoing on your part. Based upon your character and integrity, [REDACTED]

If you do oppose my position and want to fight this one out, I will have no other choice but to send all our communications out to the Irish and Irish American community and beyond, and ask them for their expert opinion. This is not a course of action I would like to take, but I will take it to protect what is mine, and if you recall, I have done this on one other occasion in the past. By putting this case out to the Irish and Irish American community, I believe they will form an accurate opinion as they are quite adept at interpreting these issues in a common sense and non-legal way based upon their experience and knowledge. They are also quite familiar with my efforts to help the Irish community, and they know I would never knowingly claim something to be mine when it is not.

Thank you
Maurice D. Landers

RIMER & MATHEWSON LLP

INTELLECTUAL PROPERTY, BUSINESS AND RELATED CAUSES

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darren@rimermath.com

January 28, 2015

WITHOUT PREJUDICE

Katey Dixon
Forde Campbell LLC
1-3 Lombard Street
Belfast, Co.
Antrim BT1 1RB
NORTHERN IRELAND, UK

VIA FACSIMILE AND E-MAIL

011-44-28-90-232-081
katey@fordelaw.com

Re: Opposition to your client's trademark application
Trademark: THE SHAMROCK FUND
Your client: Jack and Jill Foundation Limited
Our Reference: LANDM-002M

Dear Ms. Dixon:

In response to your letter to me dated October 2, 2014, and your more recent follow up letter, please accept my apologies for the delay in getting back to you. I have had a number of personal difficulties these past few months (including the loss of my step father and my mother's health issues).

We can certainly proceed with the opposition if your client would prefer, but there really won't be much hope for it before the TTAB. As you are aware, Mr. Landers has prior common law rights over the trademark SHAMROCK FUND (with or without THE) in the United States. My client provided additional evidence of his priority to your client directly through his e-mail to Jonathan Irwin dated November 24, 2014. A review of the facts will leave no doubt about the issue of priority.

Exhibit 1 is a true and correct copy of an e-mail and accompanying newsletter which was first published by Maurice Landers on August 22, 2011. Therein, Mr. Landers stated that his organization would soon launch the SHAMROCK FUND, and provided further information about the scope of the charitable services to be offered using the SHAMROCK FUND trademark. Although the printed newsletter shows the date that I printed it (i.e., January 23, 2015), the identical newsletter was published and made available through the e-mail from August 22, 2011, which appears in Exhibit 1.

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Exhibit 2 is a true and correct copy of an e-mail chain from August 29, 2011 through August 31, 2011 between Maurice Landers, Fionuala Pender and Conor Foley. In this e-mail chain, Mr. Landers told Mr. Foley about the availability of the SHAMROCK FUND on August 29, 2011. Ms. Pender offered a reduced rate for IIBN membership for those applying through the SHAMROCK FUND.

Exhibit 3 is a true and correct copy of an e-mail dated August 31, 2011, from Maurice Landers to an individual named Dermot Hartigan. Therein, Mr. Landers stated:

We will soon be launching a new fund called the Shamrock Fund, to assist those who have been finding it difficult to find employment in the U.S. Click on the link below for further details.

In this exhibit, Mr. Hartigan had written to Mr. Landers on August 30, 2011, inquiring about the scope of services which were being offered by Mr. Landers.

The link provided in this exhibit is to Exhibit 1, which was available online as of August 22, 2011.

Exhibit 4 is a true and correct copy of the e-mail sent on September 1, 2011, by Maurice Landers to a host of individuals, announcing the launch of the SHAMROCK FUND. This appears in the Notice of Opposition.

Following the September 1, 2011 launch of the SHAMROCK FUND, Mr. Landers received a litany of requests for information about the SHAMROCK FUND, and he began offering his services to the national Irish-American and international communities at that time using this trademark.

Exhibit 5 is a true and correct copy of an e-mail dated September 1, 2011 from Jim Lamb, Honorary Consul General of Ireland and President of the Ireland Institute of Pittsburgh, to Dermot Hartigan and Maurice Landers. In this e-mail, Mr. Lamb offers his help in any way he can. This e-mail contains the earlier e-mail from Maurice Landers, indicating the impending launch of Mr. Landers' charitable fundraising services using the SHAMROCK FUND trademark.

Exhibit 6 is a true and correct copy of an e-mail dated September 2, 2011 from the Coalition of Irish Immigration Centers to Maurice Landers, inquiring whether the Coalition can put the information on the launch of the SHAMROCK FUND in its September, 2011 newsletter. As provided in such e-mail, "it is very newsworthy!!"

Exhibit 7 is a true and correct copy of an e-mail dated September 2, 2011 from Tom Healy to Maurice Landers, commenting on the SHAMROCK FUND and indicating that it should be very helpful.

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Exhibit 8 is a true and correct copy of an e-mail chain dated September 14, 2011 from Seamus McDaid to the webmaster of Failte 32 (Maurice Landers). In this e-mail, Mr. McDaid stated that he wanted to apply for the SHAMROCK FUND. In this e-mail chain, Mr. Landers stated to Mr. McDaid that the SHAMROCK FUND would pay for his annual membership to the Irish Business Organization and the Irish Network.

Exhibit 9 is a true and correct copy of an e-mail dated October 7, 2011, sent by Loretta Brennan Glucksman, Chairman of the American Ireland Fund, to a host of people. In such e-mail, Ms. Glucksman stated that the Jack and Jill Children's Foundation and Jonathan Irwin, among others, were launching The Jack and Jill Shamrock Fund in New York. This exhibit makes it clear that by October 7, 2011, Mr. Irwin and your client had set a launch date to begin using The Jack and Jill Shamrock Fund as a service mark.

Exhibit 10 is a true and correct copy of an e-mail chain dated October 9, 2011 from Donal O'Conghaile to Maurice Landers. In this e-mail chain, Ms. O'Conghaile first wrote to Mr. Landers on September 1, 2011 and stated, "The Shamrock fund is a brilliant idea and the timing of its launch could not be better for me. I'd love to avail of the Fund..." Mr. Landers wrote further on September 6, 2011, and Ms. O'Conghaile thanked him for being included in the Shamrock Fund.

Exhibit 11 is a true and correct copy of an e-mail dated October 16, 2011, from Maurice Landers to Senator Mary Ann O'Brien and Jonathan Irwin. You have already seen this e-mail in the Notice of Opposition and this has been discussed at length between the parties.

Exhibit 12 is a true and correct copy of an e-mail dated October 17, 2011, from Jonathan Irwin to Maurice Landers. You have already seen this e-mail in the Notice of Opposition and this has been discussed between the parties. Notably, Mr. Irwin recognized that Mr. Landers had already been using THE SHAMROCK FUND, and Mr. Irwin did not want "to discommode you in your efforts by causing any confusion for you. Our prescence [sic] in New York will be minimal. . . . I doubt the name will reappear as Jack and Jill is our banner. There is no intention to have a permanent being in NYC."

Exhibit 13 is a true and correct copy of an e-mail chain from October 19, 2011 through October 21, 2011, from Megan Maguire to Maurice Landers. In this e-mail chain, Mr. Landers told Ms. Maguire about the launch of the SHAMROCK FUND, and Ms. Maguire told Mr. Landers that the information has been most helpful.

Exhibit 14 is a true and correct copy of an e-mail chain from October 21, 2011 through October 24, 2011, from Joseph Long to Maurice Landers. In this e-mail chain, Mr. Landers told Mr. Long about the launch of the SHAMROCK FUND, and he offered various services using this trademark.

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Exhibit 15 is a true and correct copy of an e-mail dated October 24, 2011 from Maurice Landers to various individuals concerning an update to the SHAMROCK FUND. In such e-mail, Mr. Landers summarized the progress of his charitable services using the SHAMROCK FUND trademark.

As shown in these exhibits, there is more than enough evidence supporting Mr. Landers' use of the trademark SHAMROCK FUND for his charitable services at least as early as September 1, 2011. There is a lot of continuing evidence of use (representative samples of which are attached in Exhibits 16-20). Your claim that there is no evidence of continuing use is without merit.

Exhibit 21 is a further showing of the goodwill which the SHAMROCK FUND trademark has generated. This contains a letter dated November 10, 2014 from Philanthropy Ventures, LLC to Maurice Landers at the Shamrock Fund. This letter evidences the HaloCard Visa giving platform which has been in place since May, 2013, using the SHAMROCK FUND trademark for charitable fundraising purposes.

The evidence firmly demonstrates that Mr. Landers began using his trademark SHAMROCK FUND by September 1, 2011. Moreover, the evidence is clear that Jonathan Irwin, the CEO of your client, was aware of Mr. Landers' prior use at a time when he could have made alternate plans to use the trademark THE SHAMROCK FUND. In his e-mail of October 17, 2011 (Exhibit 12), Mr. Irwin stated that he did not want to "discommode" Mr. Landers, and that there was no intention by Mr. Irwin's company to "have a permanent being in NYC." This might very well invalidate his declaration from October 14, 2011 and his company's resulting application. In any event, it was within Mr. Irwin's power to change his business plans and not adopt the trademark THE SHAMROCK FUND for his company's charitable services. Instead, he proceeded forward with his plans, taking the risk that he could later be found to violate Mr. Landers' trademark rights. That is where we are today.

Mr. Irwin's statements to my client on October 17, 2011 are very troubling. Mr. Irwin told Mr. Landers, in no uncertain terms, "I doubt the name [SHAMROCK FUND] will reappear as Jack and Jill is our banner. There is no intention to have a permanent being in NYC." If that is the case, the company's later application may be void as lacking a valid basis for filing.

Perhaps Mr. Irwin was operating on the mistaken belief that his company had applied for the trademark THE SHAMROCK FUND "on a worldwide basis" "some months ago." This would have been some months before October, 2011. Plainly, that is not the case. Your client's international application was filed before the Office for Harmonization in the Internal Market (OHIM) on October 26, 2011, the same date that it filed its extension of protection into the United States (the opposed application). As you are aware, this is the earliest priority date that your client can rely upon for any constructive use date in the United States. To date, we have seen no evidence of use predating our client's date of first use of the SHAMROCK FUND trademark. Thus, the evidence points strongly against your client when it comes to the issue of priority.

RIMER & MATHEWSON LLP

January 28, 2015

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As noted above, your claim that my client has not been using the trademark SHAMROCK FUND for his charitable services because a website he owns, shamrockfund.org, is not in use, is wholly without merit. A website is only one method of offering services under a trademark, and Mr. Landers has offered his charitable services using SHAMROCK FUND through many different means, including e-mail, telephone, newsletters, the mail, personal meetings, and the like. If a website is used for click through revenue sharing by a third party, that does not detract from my client's trademark rights.

After you have reviewed the evidence of priority, let's talk about the direction for this opposition. We can certainly proceed forward, and the TTAB will be more than capable of deciding the issue of priority on a motion for summary judgment.

Very truly yours,

RIMER & MATHEWSON LLP

Darren S. Rimer

A handwritten signature in cursive script, appearing to read "Darren S. Rimer", written over a circular stamp.

Enclosures (by e-mail only)

cc: Maurice Landers

EXHIBIT 1

----- Forwarded message -----

From: **Failte32 Failte32** <failte32@gmail.com>

Date: Mon, Aug 22, 2011 at 2:08 AM

Subject: Failte 32 Newsletter - J1'ers...Get Your Tax Refund!, New Failte 32 'Shamrock Fund', J1'ers Great Ambassadors for Ireland in USA, and more...

To: Failte32 Failte32 <failte32@gmail.com>

Hi everyone

Please see this issue of Failte 32's newsletter by clicking on link below.

Failte 32 Newsletter - J1'ers...Get Your Tax Refund! (If you worked in the U.S. in 2011 or anytime in the past 4 years), New Failte 32 'Shamrock Fund', J1'ers Great Ambassadors for Ireland in USA, and more...

<http://www.failte32.org/about-failte-32/useful-articles/failte-32-newsletter-j1ers-g%e2%80%8b%e2%80%8bet-your-tax-refund-new-failte-32-shamrock-fund-j1ers-great-ambassador%e2%80%8bs-for-ireland-in-usa-and-more/>

Kind regards

Failte 32 Committee

Hi everyone

Many of you are accustomed to our emails/newsletters. Some of you are seeing this for the first time. If you do not have time to read our newsletter now, please print it out and read it later.

We would like to say that, since all Summer J1'ers will soon be heading back home, we at Failte 32 were very proud to have been able to offer them our support this Summer.

There certainly was a strong willingness to work among the students we came across. We think they were better prepared this year based on the experience of those who came over last year. Many seemed to have a fallback option of staying with or being employed by a contact from home if all else failed, which was a smart strategy.

Although the current economic climate has made it more difficult to find work, the Irish can adapt very quickly and can be very creative, as demonstrated by the number of J1'ers who found employment in a number of different areas. This year and last, we found most if not all J1'ers to be highly motivated and **great ambassadors for Ireland in the U.S.** The fact that they made the move to the U.S. in these dire times indicates how self-motivated they are.

The Irish American community in NY reacted very positively this year to the influx of J1'ers. Many of our affiliated organizations provided job search support through their Summer events, contacts and other resources that helped put J1'ers in front of potential employers. This can only be complementary to the efforts of dedicated organizations such as the Aisling Irish Community Center and Emerald Isle Immigration Center which provide amazing support all of the time.

The New York Irish Center is again offering a special rate to J1'ers to its upcoming 'Guggenheim Grotto in Concert' event (details below). We would like to thank the Arts and Community Center, **Axis-Ballymun**, for offering a significantly discounted rate to J1'ers to its play in New York 'the parting Glass' by Dermot Bulger. Paul Hurley, owner of O'Casey's, again this year provided weekly social evenings at O'Casey's, offering free food and dollar beers to J1'ers, although it was not as well attended this year as last which might indicate that most J1'ers were too busy working, which is a good thing!

The Irish American media seemed to have had alot more coverage in their publications this Summer on the challenges J1 visa holders face, and advice on how to overcome these challenges. Since Failte 32 launched its unique community platform last year to try to broaden Irish American community involvement and engagement in providing job support for J1 and other visa holders, it along with the Irish Examiner USA (spearheading the Failte 32 media effort) seems to be providing value to the Irish American media on this issue, including longer established publications such as the Irish Voice who recently signed up for our Failte 32 newsletter, and requested feedback from us for one of their recent J1 articles. This is certainly testament to the important role Failte 32 has played since its launch only a year ago.

We will soon launch our new Failte 32 support fund, called the **Shamrock Fund** SM, to support longer-term J1 visa holders who may be finding it difficult to find employment in the U.S. The Fund will subsidize (or fully pay) the membership of long-term visa holders to influential Irish American business organizations in the U.S. Generally speaking, criteria for eligibility will depend on how long one has been seeking employment in the U.S., and a commitment from them to make full use of their membership by attending all of the organization's events and proactively networking.

We thank those of you who have contributed to establishing this Fund which will have ZERO administrative costs i.e. the Fund will have no paid employees hence all of your hard earned donations will be fully allocated to supporting those in need, the intended recipients. However, at least initially, donations will not be solicited from the general population (inc. those of you on this mailing list) as we believe everyone has enough on their plates as it is, rather will be accepted on a discretionary basis from potential funders we have relationships with. Overtime, we plan to expand the purpose of the Fund to include supporting other worthy causes, while always keeping administrative costs at zero.

We have called the new fund the Shamrock FundSM (www.shamrockfund.org) after the famous Shamrock Fund that sought funds from Irish and Irish Americans in the U.S. in support of Irish servicemen in America returning to Ireland from the Western Front. Following is more information on its historical background:

In November 1916, the New York Times reported that a Lady Kingston from Co Roscommon had arrived in the city to set up a fund "for a tuberculosis home for the men who have acquired the disease after having been gassed in the trenches and are incurable . . . and for the disabled soldiers who have no pension or an inadequate one".

Her appeal was directed at Irish people living in New York "who ought to be glad to do something to help their own people".

She had brought "a quantity of shamrocks to be tokens to those who make donations . . . paper ones with pins for small sums and finer ones of enamel: a button for the men and a pin for the women, for those who give \$1 or more".

The Countess of Kingston, who lived at Kilonan Castle, Co Roscommon, had been dispatched to New York by a committee in Ireland which had already commenced a major public fundraising effort.

The intention was to establish a specialist hospital for Irish soldiers and sailors who had lost limbs. For the first few years of the war, they were treated at hospitals in England .

The Shamrock Fund was one of many such European funds established in New York during the War and it attracted support from, among others, the American poet Margaret Chanler Aldrich.

It is not known how much money was raised in New York but back in Ireland subscriptions poured in.

Source Irish Times.

Ireland may be wounded now by the global financial crisis, but we believe that in 5 years or less, particularly with the help of Irish Americans, Ireland will again be back on track as one of the most successful economies in Europe. But we have to make sure that we support our next generation of business leaders by ensuring that our graduates gain valuable experience here in the U.S. which they can then bring back to Ireland to help heal its economic wounds.

For those of you whose companies are considering setting up international or European operations, when considering Ireland don't base your decisions solely on short term economic data, **instead meet with and ask any of the U.S. multinationals based in Ireland why they have decided to remain, and in some cases expand their operations over the past two years, in Ireland**. Enterprise Ireland (www.enterprise-ireland.com) and the IDA (www.ida.ie) might have suggestions on how this can be facilitated.

Anyone with any foresight will know that Ireland, like for example New York in the 70's/80's where property prices were so depressed that they were almost giving buildings away (I'll bet your kicking yourself now for not investing back then), will bounce back, and represents excellent value, particularly at present, as a European base no matter what industry you're in. So take a more practical longer-term approach to investing in the future of your company. Ireland, particularly at the present time, represents a great opportunity for large, medium and small size U.S companies looking to new diverse markets.

Even if you're considering investing in Irish companies, take a leaf out of **Peter Lynch's** book, Manager of perhaps the world's best known actively managed mutual fund, the Magellan Fund. He created the investment process commonly referred to as 'Buy What You Know'. He applied a more practical common sense approach to making his very successful investment decisions. He would for example call into retail stores and observe over a period of time consumer traffic, customer service, product etc. He became aware of Taco Bell after sampling a burrito and La Quinta after spending a few nights on its firm mattresses.

Irish companies, even in this unpredictable global economic environment, have maintained excellent fundamentals in terms of the export potential of their products and their level of innovation, and has a highly educated workforce with excellent skills and a very strong work ethic. Ireland has always been an open economy and tends to be more sensitive to impacts in the global economy, but has developed down through the years the necessary political/business/Govt. skill sets which resulted in rapid economic growth between 1995 and 2007. This growth will occur again on a more sustainable basis. Just look at the tremendous growth in Irish exports last year.

Continuing our efforts to broaden community involvement and engagement in supporting J1 and other visa holders, Failte 32 is delighted to hear that the **New York Pan Alumni Group**, under its new Chair, Aoife Butler, is, among other things, developing a new program to assist graduates, including J1 visa holders, find employment in the U.S. If you are a graduate, and are looking for employment in the U.S., please let us know so that we can connect you with Irish third level graduates here in NY. Aoife recently served on the board of the Irish Network-NYC, and played a leading role in setting up the Irish Network-USA, the umbrella group of all the Irish Networks worldwide. She also served as its first President.

More good news! If you worked in the U.S. in 2011 **or anytime in the past 4 years**, you may be due a tax refund. The average U.S. tax refund is \$800.

Find out for free what tax you're owed from your J1

Dear member

Let's face it, landing back home after a few months in the US can be a depressing reality – Taxback.com may be able to change that by helping you get some money back. Claiming your American tax back with us is a fast and easy process. The average USA Tax Refund: \$800, so why wait?

Find out how much you could be owed by trying out their [easy to use tax calculator](#) or to find out [more visit their website](#) or check out their facebook page to see what their customers are saying.

Got questions? You can contact taxback.com 24/7 by using any of the following:

1. **Live Chat – 24/7:** Online support with a taxback.com representative

www.taxback.com/chat

2. **E-Mail Us** with any questions you may have at:

info@taxback.com (Partner's link)

3. **Call Direct** to speak to one of our experienced representatives

To find your local office phone number Click **here** (Partner's link)

4. **TaxTracker**-Once you register you will receive you TaxTracker account details-Use TaxTracker to track you entire tax return online

Best regards,

Taxback.com US team

If you would prefer not to receive tax refund information e-mails from taxback.com, please [click here](#).

Please read this issue's article from our immigration attorney, Caro Kinsella:

Spouse and unmarried children of Lawful Permanent Resident:

- Siblings cannot petition for one another unless a sibling is a U.S. Citizen

- Parents cannot petition for their children if they are a Lawful Permanent Resident
 - A Lawful Permanent Resident cannot petition for their parent (must be a U.S. citizen)
 - A Lawful Permanent Resident can petition for their spouse and child (under 21 years). However the spouse/child will not be deemed to be an immediate relative, and thus must wait for a visa number to become current before being able to adjust their status. (August 2011 visa bulletin for all chargeability areas July 22, 2008 – visa current date for spouse and children; therefore a wait period of approximately three years)
 - A Lawful Permanent Resident can petition for their unmarried son/daughter (21 years or older). They must also wait for their visa number to become current before being able to adjust their status. (August 2011 visa bulletin for all chargeability areas July 1, 2003 visa current date; therefore a wait period of approximately of eight years). Once you marry your Lawful Permanent Resident parent cannot petition for you.
-

In the spirit of Failte 32's principle of face to face contact, if you want to get in front of potential employers in the Irish American community, please come along to the following:

The **New York Irish Center** is offering a special discounted rate (half price!) to J1 visa holders for its upcoming 'Guggenheim Grotto in Concert', Saturday August 27th. See details at end of newsletter.

Origin Theatre Company's **1st Irish Festival**, which runs from September 5th through October 3rd. 1st Irish is New York's first and only all-Irish theatre festival.

For festival information and to learn how to vote for this year's Audience Choice Award for Best Play, visit www.1stIrish.org.

For those of you back in Ireland, or in Ireland on vacation, don't forget **Tangible Ireland's** 'The Ambassador's Big Day Out!' via the Ballyhoura Express on August 24th 2011. See link below for details.

<http://tangibleireland.com/tangible-blog/blog/the-ambassadors-big-day-out.html>

Richard O'Donnell and Terry McLoughlin's RendezVous353 www.RendezVous353.com, often referred to as the Irish Facebook, and some of its groups/members including Failte 32's immigration attorney, Caro Kinsella, were recently featured on Today FM's Sunday Business Show. Failte 32 is RendezVous353's Ambassador here in NY.

<http://www.todayfm.com/Shows/Weekends/Sunday-Business-Show/Podcasts/PodcastAudio.aspx>

We would like to take this opportunity to thank and bid farewell to two members of the Irish Consulate in New York, Alan Farrelly, Vice Consul, and Lorraine Christian, Press Officer, who have been very supportive of our

efforts to help J1 visa holders find employment along the East Coast. Both will be heading back to Ireland to enhance their roles in the diplomatic core. We wish them both the best of luck.

Kind regards

Failte 32 Committee

Guggenheim Grotto in Concert

Saturday August 27th, Doors Open 7.45pm Showtime 8.30pm

SPECIAL OFFER

Available ONLY via this e-mail

Students/J-1 Visa Holders/Unemployed \$11

click on the photo above for a music sample as Gaeilge
(TGG perform in English but have recorded some of their original songs in Irish)

Now that they've moved to live and write in Brooklyn,

New York Irish Center

is proud to showcase this wonderfully talented duo.

If you're not familiar with their music,

check out these **YouTube** links for some great samples.

The Universe is Laughing

Her Beautiful Ideas

Wonderful Wizard

If you want to know more about the band,

check out their **Facebook page** and/or their **Website**

FREE GUGGENHEIM GROTTA MUSIC DOWNLOAD

Reg. Tickets \$22 (this includes service charges),

The band will play two 45 minute sets with
a short intermission between sets.

Secure your **Ticket(s)** by using this link
using Paypal/Credit/Debit Card.

New York Irish Center 10-40 Jackson Ave., Long Island City (Queens), NY 11101 Tel. 718 482
0909

5 mins. from Grand Central on the 7 train

Become a fan of

the New York Irish Center on...

Web site by Declan Prouty

EXHIBIT 2

On Wednesday, August 31, 2011 6:06 AM, Fionuala Pender <Fionuala@iibn.com> wrote:

Great stuff, Maurice.

Shall look forward to working with you on this.

Best wishes,

Fionuala Pender
Executive Director
IIBN
15 Greycoat Place
London SW1P 1SB

www.iibn.com

Connecting Irish Entrepreneurs Globally

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From: maurice landers [mailto:mauricelanders@yahoo.com]

Sent: 30 August 2011 18:28

To: Fionuala Pender; 'Conor Foley'

Cc: colman@fonepool.com

Subject: Re: Failte 32 Request

Many thanks Fionuala. This is very helpful!

We will start accepting applications from J-1 visa holders once the Fund is launched, and then start referring eligible applicants to organizations such as the IIBN by directly paying their annual membership dues, and providing you with all their contact details.

Thank you again Fionuala for this great support.

Look forward to seeing you soon.

Kind regards
Maurice

From: Fionuala Pender <Fionuala@iibn.com>
To: 'maurice landers' <mauricelanders@yahoo.com>; 'Conor Foley' <conorf@worldspreads.com>
Cc: colman@fonepool.com
Sent: Tuesday, August 30, 2011 9:43 AM
Subject: RE: Failte 32 Request

Hi Maurice,

It's good to hear from you and many thanks for your email.

As you probably know, Colman Lydon is Chairing IIBN New York so I have cc'ed him into our email communications so he's kept in the loop.

I will have a chat with Colman but I would be more than happy to work with you on this important initiative. Annual IIBN NY membership is currently only \$95 but we would be willing to reduce this to \$65 for those taking part in the programme.

Just let us know how you would like to proceed.

Kind regards,

Fionuala Pender
Executive Director
IIBN
15 Greycoat Place
London SW1P 1SB

www.iibn.com

Connecting Irish Entrepreneurs Globally

IIBN is sponsored by Gates & Partners, Wingrave Yeats, CityJet, Hays Recruitment, Powerscourt, Nolan Transport and Beauchamps Solicitors.

From: maurice landers [mailto:mauricelanders@yahoo.com]
Sent: 30 August 2011 00:34
To: Conor Foley
Cc: 'fionuala@iibn.com'
Subject: Re: Failte 32 Request

Thank you Conor.

Hi Fionuala, hope things are going well for you over there. It would be great if you could let me know your thoughts on this and if you feel it would benefit your organization. If you have any further questions, please let me know.

Many thanks for your consideration.

Kind regards
Maurice

From: Conor Foley <conorf@worldspreads.com>
To: "mauricelanders@yahoo.com" <mauricelanders@yahoo.com>

Cc: "fionuala@iibn.com" <fionuala@iibn.com>

Sent: Monday, August 29, 2011 5:14 AM

Subject: Re: Failte 32 Request

Dear Maurice,

Many thanks for your e-mail.

Fionuala Pender is the best person at IIBN with whom to discuss this and I have copied Fionuala here.

Best wishes with the program.

Regards,

Conor.

From: maurice landers <mauricelanders@yahoo.com>

To: Conor Foley

Sent: Mon Aug 29 04:57:42 2011

Subject: Failte 32 Request

Dear Conor

I hope all is well. As you might be aware from our Failte 32 newsletters, we are going to launch a new fund called the Shamrock Fund to support longer-term J1 visa holders who may be finding it difficult to find employment in the U.S. The Fund will subsidize (or fully pay) the membership of J-1 visa holders to influential Irish American business organizations in the U.S. , such as yours.

Generally speaking, criteria for eligibility will depend on how long one has been seeking employment in the U.S. , and a commitment from them to make full use of their membership by attending all of your organization's events and proactively networking, and volunteering for your committees.

We have to make sure that we support our next generation of business leaders by ensuring that our graduates gain valuable experience here in the U.S. which they can then bring back to Ireland to help put it back on track as one of the most successful economies in Europe .

Initially, applications will be accepted from those in the New York area with Science, Engineering, Arts/History and Law qualifications. We plan to match suitable candidates with well established business networking organizations such as yours so that we can put them in front of potential employers.

Therefore, we are kindly asking if your organization would consider offering a discounted rate to those on longer-term visa's, such as the IWT J-1, that Failte 32 and the Shamrock Fund is supporting. We will then steer these new members (high quality graduates from Ireland) to your organization by paying for their annual membership. These graduates can diversify your membership demographic, and help your organization by volunteering for committee activities/duties.

Many thanks for your consideration, and I look forward to hearing from you.

Kind regards
Maurice

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EXHIBIT 3

----- Forwarded message -----

From: **maurice landers** <mauricelanders@yahoo.com>

Date: Wed, Aug 31, 2011 at 9:56 PM

Subject: Failte 32

To: Dermot Hartigan <dh364@law.georgetown.edu>

Cc: "jlamb@iiofpitt.org" <jlamb@iiofpitt.org>, Failte32 Failte32 <failte32@gmail.com>

Hi Dermot

Thank you for your email. I take it you are currently on a one year IWT J-1 visa?

We launched Failte32.org last year in response to the problems Irish visa holders (Summer J-1 and IWT one year J-1 visa types) were having finding employment in the U.S. It's a voluntary initiative set up by a few business people in NY to help work visa holders find employment in NY and the US.

Failte 32 initially set out to support Summer J-1 visa holders in their search for employment, and having been successful in doing this, started focusing its efforts on helping longer-term visa holders find employment in their field of expertise. We will of course continue to support those coming out on the Summer J-1 visa each year.

The main idea behind Failte 32 is to connect new arrivals to the main Irish organizations in NY (affiliated organizations), and generally, to the Irish American community as a whole. It does this through the Failte32.org website, and also, quite uniquely, through the Irish Restaurant and Bar network, places where traditionally the Irish have socialized and gathered information on job opportunities.

By connecting with our affiliated organizations through their monthly events, new arrivals can gain access to their circle of influence in the US i.e. fellow Irish and potential employers. This is very important in

the current economic environment as job seekers need to give themselves every chance possible of finding a job.

Failte 32 has over 20 affiliated Irish organizations who have committed to offering their support. We ask all new arrivals to browse their websites (under 'affiliations' tab on Failte32.org) and make a note of their upcoming events. By attending these events, you can potentially get in front of employers and decision makers immediately, rather than just sending a resume to employers in the hope that it will be picked up by the HR dept. from amongst the hundreds they receive on a daily basis.

Failte 32 emphasizes the importance of developing your 'job network'. It's no longer sufficient to depend on applying for jobs online. One has to now proactively get out there and develop their network. We also list the events of our affiliated organizations on the 'news/events' section of Failte32.org, which makes it easier for you to connect with our affiliated organizations.

I would suggest, as a start, that you first contact the Irish American Bar Assoc. of New York (www.iabany.com President Domhnall O'Cathain do@lmllawyers.com), the Irish Network-NYC (www.irishnetwork-nyc.com President Gina.Reilly@macquarie.com), the Irish Business Organization (www.ibo-ny.com President niallOLEARY@ireland.com), the New York Irish Center (www.newyorkirishcenter Executive Director Paul Finnegan paul@newyorkirishcenter.org).

It would also be worth your while contacting Aoife Butler and John Murphy who are lawyers here in New York. Their emails are ae.butler@hotmail.com and johnomurphy75@gmail.com respectively. Everyone above supports Failte 32 so feel free to mention how you heard of them.

I have also asked the Irish Consulate to add you to their list of upcoming events, particularly law related events. In the meantime, I will forward you a previous newsletter of ours which has information on the Carbon Zero Northern Ireland program. I have also cc'd Hon. Jim Lamb who runs this program.

We also provide additional support through our strategic partnerships (click on logo on 'strategic partners' page on Failte32.org). These partners were chosen on the basis that they are serious about supporting Failte 32, so please reference Failte 32 if you decide to contact their HR dept.

Please also visit the 'job search support' section on Failte32.org which redirects you to the RendezVous353.com website, one of our strategic partners and a new social and business portal for the Irish at home and abroad, often referred to as the Irish Facebook. Use the RendezVous353 platform to search contacts, organizations and employers in New York and the USA. Please also visit the 'Failte 32' and 'maurice landers' minisites on RendezVous353 (forums and blogs) which contain prior Failte 32 newsletters, tips, some job announcements, contacts, and other relevant information pertinent to your job search. Registration, which is free, is required in-order to access this mini-site (takes 30 secs to register).

Additionally, Failte 32 provides other services such as free classified ads in the Irish Examiner USA newspaper, and the use of O'Casey's pub in New York for free wifi and refreshments while searching for employment. We have added you to our newsletter/email list. This newsletter which is sent out to organizations, companies, and a broad cross-section of people in the Irish American community, will keep you up to date on our activities and activities within the Irish American community. Please send me a blurb which I can place in the Irish Examiner USA classified section and in our next Failte 32 email/newsletter.

We will soon be launching a new fund called the Shamrock Fund, to assist those who have been finding it difficult to find employment in the U.S. Click on the link below for further details.

<http://www.failte32.org/about-failte-32/useful-articles/failte-32-newsletter-j1ers-g%e2%80%8b%e2%80%8bet-your-tax-refund-new-failte-32-shamrock-fund-j1ers-great-ambassador%e2%80%8bs-for-ireland-in-usa-and-more/>

Please feel free to call me at 347 827 8713 if you have further questions, and we look forward to assisting you in your efforts searching for employment. Hopefully we'll get a chance to meet up at an upcoming event.

Kind regards,
Maurice

From: Dermot Hartigan <dh364@law.georgetown.edu>
To: mauricelanders@yahoo.com
Sent: Tuesday, August 30, 2011 6:58 AM
Subject:

Dear Mr Landers,

Treasa Smith recommended that I contact yourself and that you may be able to offer me some guidance.

My name is Dermot Hartigan and I am from Belfast, Ireland. I recently graduated from Georgetown University Law Center where I gained an LL.M. in International Legal Studies in addition to a certificate in International Human Rights. Prior to going to Georgetown I read law at Queen's University Belfast (QUB) in Northern Ireland and successfully completed the New York State Bar Exam in February 2010 and was sworn in as an attorney in June of the same year. I have also had the opportunity to study a number of business modules during an earned scholarship from the British Council at Regis College in Massachusetts.

I intend to move to the East coast in the coming weeks to pursue a career in law but given the economic climate I am finding it difficult to make connections and I am extremely worried about what the immediate future entails. Any guidance or advice would be welcomed and greatly appreciated.

Best regards,

Dermot Hartigan

EXHIBIT 4

----- Forwarded message -----

From: **Failte32 Failte32** <failte32@gmail.com>

Date: Thu, Sep 1, 2011 at 8:28 PM

Subject: Shamrock Fund Launched - Applications Now Being Accepted From Those In New York On J-1 IWT Program

To: marybeggan@aol.com, eamonn2064@gmail.com, joemcmanus@boardwalkpropertygroup.com, mngnyc@aol.com, pdohurley@aol.com, IrishLawyersNY@aol.com, gdoyle5@nyc.rr.com, pauline@irishartscenter.org, siobhand@eiic.org, april@irishvoice.com, gerry.murphy@enterprise-ireland.com, orla@aislingcenter.org, info@ciic-usa.org, vargo@us-irelandalliance.org, maeodriscoll@aol.com, aine@irishradio.net, lally.lally@verizon.net, jdc1916@aol.com, patriciaoreilly@outofirelandtv.com, Lorraine.Christian@dfa.ie, greg@paddedwagon.com, tammy@letitshineinc.com, slynott@century-business.com, jfavila@optonline.net, bmcnamara@irelandhsp.com, hbeirne@hotmail.com, chairman@nyc-st-patrick-day-parade.org, frankmcgreal@yahoo.com, alan.farrelly@dfa.ie, Niall.Burgess@dfa.ie, kroppyboy@aol.com, dandennehy@hotmail.com, rohanlon@irishecho.com, ebrendand1234@aol.com, michelleflahive@gmail.com, paul@newyorkirishcenter.org, irishlanguage@gmail.com, friedaklotz@googlemail.com, ltturner@nibureau.com, mcmahonnaomi@hotmail.com, pat.oconnell@conallgroup.com, tim.roche@enterprise-ireland.com, ainecos2008@gmail.com, niallOLEARY@ireland.com, paddy@irishexaminerusa.com, NRolf@council.nyc.gov, toddspr@yahoo.com, Laurence.McCarthy@shu.edu, AMULLEN@corcoran.com, ryagarry@gmail.com, beglin97@verizon.net, newyorkminorboardgaa@yahoo.com, cusickm@assembly.state.ny.us, irelandcalls@yahoo.com, grobess@assembly.state.ny.us, jimemsa@nyc.rr.com, paul@publicachievement.com, ecmag7@aol.com, tombeirne4@hotmail.com, fitzpatrick.brian@rocketmail.com, lizken01@msn.com, gallagherbarrett@aol.com, boyntonburkes@yahoo.com, blandersson@records.nyc.gov, attorneymikemccabe@yahoo.com, colman@fonepool.com, Alice.OSullivan@rte.ie, Brendan.OCaollai@dfa.ie, bburke@countrybnk.com, ametcalf@tourismireland.com, omalleylaw@aol.com, garret@hkhotels.com, michaeljsmoran@gmail.com, seancorbett1990@hotmail.com, k.flynncent@gmail.com, ldnessa@hotmail.com, joe.tallon@gmail.com, sheila180689@hotmail.com, paulinemarieduggan@live.com, sharonon22@yahoo.ie, tobrien718@gmail.com, s.wynne2@nuigalway.ie, diarmuid.fullerton@studentncirl.ie, k.mcmanus4@nuigalway.ie, ciaranmceallaigh@hotmail.com, gavohanlon@gmail.com, johnpaul.costello@gmail.com, paddykjr@gmail.com, katrinadickson@hotmail.com, mhaincoulter@yahoo.co.uk, johnmcdonnell21079118@gmail.com, ciaranmurphy18@hotmail.com, clairefergus93@hotmail.com, juliekavanagh6@hotmail.com, eileenomahoney@yahoo.com, cdeignan@hotmail.com, emerboland@gmail.com, nathanbuckley01@itnet.ie, sarahmoran19@gmail.com, fi.c@hotmail.com, niallmoo2@hotmail.com, niall.omaonaigh2@mail.dcu.ie, amcostel@tcd.ie, darrenop@gmail.com, msjennifercondon@hotmail.com, poulboycurtin@hotmail.com, suzigubbins12@hotmail.com, kieranmg@live.com, killianmcnally1@hotmail.com, chrisblockley360@hotmail.com,

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Hi everyone

We have now launched the **Shamrock Fund** SM to support longer-term J-1 visa holders who may be finding it difficult finding employment in the U.S., which is totally understandable in the current economic environment. The Fund will subsidize (or fully pay) the membership of IWT J-1 visa holders to influential Irish American business and cultural organizations in the U.S. Generally speaking, criteria for eligibility will depend on how long one has been seeking employment in the U.S., and a commitment from them to make full use of their membership by attending all of the organization's events, and proactively networking and volunteering for committees.

We thank those of you who have contributed to establishing this Fund which will have ZERO administrative costs i.e. the Fund will have no paid employees, hence all of your hard earned donations will be fully allocated to supporting those in need. However, at least initially, donations will not be solicited from the general population (inc. those of you on this mailing list) as we believe everyone has enough on their plates as it is, rather donations will be accepted on a discretionary basis from potential funders that we have relationships with. Overtime, we plan to expand the purpose of the Fund to include supporting other worthy causes, while always keeping administrative costs at zero.

We have to make sure that we support our next generation of business leaders by ensuring that our graduates gain valuable experience here in the U.S. which they can then bring back to Ireland to help put it back on track again as one of the most successful economies in Europe. We would like to sincerely thank the following business organizations in New York for supporting Failte 32 and the Shamrock Fund by offering us a special membership rate:

Irish Business Organization - www.IBO-NY.com

Irish International Business Network - www.IIBN.com,

Irish Network-NYC - www.IrishNetwork-NYC.com,

Irish Technology Leadership Group - www.ITLG.org,

By reducing the membership rate we pay, the above organizations, aside from the great networking for employment opportunities they provide, can help us serve more eligible candidates, and possibly pay their annual dues to more than one business or cultural organization.

Applications are currently being accepted from IWT J-1 visa holders in the New York area with Science, Engineering, Arts/History and Law qualifications. We are now asking all of you, particularly J-1 sponsors and support organizations, to spread the word. Please have them submit their request via the contact section on www.failte32.org, and indicate how long they have been seeking employment in the U.S., their field of study, and how they plan to utilize their membership. We will match suitable candidates with well established organizations in New York, such as those above, that can put them in front of potential employers.

We will begin reviewing applications this month, and will start placing eligible candidates in appropriate organizations towards the end of September.

As the Taoiseach (Irish Prime Minister), Mr. Enda Kenny, T.D., was recently quoted as saying in a speech he made at a Galway Chamber business luncheon back in Ireland "**We all need to pull together, we have a lot to offer and a lot going for ourselves**".

Kind regards

Faillte 32 Committee

EXHIBIT 5

----- Forwarded message -----

From: "Jim Lamb" <jlamb@iiofpitt.org>

Date: Sep 1, 2011 4:20 PM

Subject: RE: Failte 32

To: "maurice landers" <mauricelanders@yahoo.com>, "Dermot Hartigan" <dh364@law.georgetown.edu>

Cc: "Failte32 Failte32" <failte32@gmail.com>

Dermot,

I was copied on Maurice Landers reply to you. I'm happy to help in any way I can.

Pittsburgh is home to a number of large law firms, including K&L Gates (a fellow honorary consul—of Germany—is a partner there); Reed Smith (my board chairman is a partner there); Buchanan Ingersoll Rooney (the Rooney is the US Ambassador's son, Art, who also presides over the local NFL franchise—Pittsburgh Steelers); Eckert Seamans, and many mid-size and smaller practices. If you forward me your resume and a cover letter I'll circulate it among my friends at those various firms.

If you're looking for an academic path, Duquesne University and the University of Pittsburgh both have well regarded schools of law. And if you seek a role within federal, state or local government I'll be happy to connect you with our friends in Washington, Harrisburg (Capitol of Pennsylvania) and Pittsburgh public offices.

I am not fully versed on the interstate bar association reciprocity, so you'd have to check whether your NY license is acceptable in PA. No matter what, let me know how I can help.

Jim

James J. Lamb

Honorary Consul of Ireland

President

Ireland Institute of Pittsburgh

1410 Regional Enterprise Tower

425 Sixth Avenue

Pittsburgh, PA 15219

+1-412-394-3900

www.iiofpitt.org

United Way Campaign of Southwestern Pennsylvania: 4534

Combined Federal Campaign: 12438

Local Federal Campaign: 9016

From: maurice landers [mailto:mauricelanders@yahoo.com]

Sent: Wednesday, August 31, 2011 9:56 PM

To: Dermot Hartigan

Cc: jlamb@iiofpitt.org; Failte32 Failte32

Subject: Failte 32

Hi Dermot

Thank you for your email. I take it you are currently on a one year IWT J-1 visa?

We launched Failte32.org last year in response to the problems Irish visa holders (Summer J-1 and IWT one year J-1 visa types) were having finding employment in the U.S. It's a voluntary initiative set up by a few business people in NY to help work visa holders find employment in NY and the US.

Failte 32 initially set out to support Summer J-1 visa holders in their search for employment, and having been successful in doing this, started

focusing its efforts on helping longer-term visa holders find employment in their field of expertise. We will of course continue to support those coming out on the Summer J-1 visa each year.

The main idea behind Failte 32 is to connect new arrivals to the main Irish organizations in NY (affiliated organizations), and generally, to the Irish American community as a whole. It does this through the Failte32.org website, and also, quite uniquely, through the Irish Restaurant and Bar network, places where traditionally the Irish have socialized and gathered information on job opportunities.

By connecting with our affiliated organizations through their monthly events, new arrivals can gain access to their circle of influence in the US i.e. fellow Irish and potential employers. This is very important in the current economic environment as job seekers need to give themselves every chance possible of finding a job.

Failte 32 has over 20 affiliated Irish organizations who have committed to offering their support. We ask all new arrivals to browse their websites (under 'affiliations' tab on Failte32.org) and make a note of their upcoming events. By attending these events, you can potentially get in front of employers and decision makers immediately, rather than just sending a resume to employers in the hope that it will be picked up by the HR dept. from amongst the hundreds they receive on a daily basis.

Failte 32 emphasizes the importance of developing your 'job network'. It's no longer sufficient to depend on applying for jobs online. One has to now proactively get out there and develop their network. We also list the events of our affiliated organizations on the 'news/events' section of Failte32.org, which makes it easier for you to connect with our affiliated organizations.

I would suggest, as a start, that you first contact the Irish American Bar Assoc. of New York (www.iabany.com President Domhnall O'Cathain do@lmllawyers.com), the Irish Network-NYC (www.irishnetwork-nyc.com President Gina.Reilly@macquarie.com), the Irish Business Organization (www.ibo-ny.com President nialloleary@ireland.com), the New York Irish Center (www.newyorkirishcenter.org Executive Director Paul Finnegan paul@newyorkirishcenter.org).

It would also be worth your while contacting Aoife Butler and John Murphy who are lawyers here in New York. Their emails are ae.butler@hotmail.com and johnomurphy75@gmail.com respectively. Everyone above supports Failte 32 so feel free to mention how you heard of them.

I have also asked the Irish Consulate to add you to their list of upcoming events, particularly law related events. In the meantime, I will forward you a previous newsletter of ours which has information on the Carbon Zero Northern Ireland program. I have also cc'd Hon. Jim Lamb who runs this program.

We also provide additional support through our strategic partnerships (click on logo on 'strategic partners' page on Failte32.org). These partners were chosen on the basis that they are serious about supporting Failte 32, so please reference Failte 32 if you decide to contact their HR dept.

Please also visit the 'job search support' section on Failte32.org which redirects you to the RendezVous353.com website, one of our strategic partners and a new social and business portal for the Irish at home and abroad, often referred to as the Irish Facebook. Use the RendezVous353 platform to search contacts, organizations and employers in New York and the USA. Please also visit the 'Failte 32' and 'maurice landers' minisites on RendezVous353 (forums and blogs) which contain prior Failte 32 newsletters, tips, some job announcements, contacts, and other relevant information pertinent to your job search. Registration, which is free, is required in-order to access this mini-site (takes 30 secs to register).

Additionally, Failte 32 provides other services such as free classified ads in the Irish Examiner USA newspaper, and the use of O'Casey's pub in New York for free wifi and refreshments while searching for employment.

We have added you to our newsletter/email list. This newsletter which is sent out to organizations, companies, and a broad cross-section of people in the Irish American community, will keep you up to date on our activities and activities within the Irish American community. Please send me a blurb which I can place in the Irish Examiner USA classified section and in our next Failte 32 email/newsletter.

We will soon be launching a new fund called the Shamrock Fund, to assist those who have been finding it difficult to find employment in the U.S. Click on the link below for further details.

<http://www.failte32.org/about-failte-32/useful-articles/failte-32-newsletter-j1ers-g%e2%80%8b%e2%80%8bet-your-tax-refund-new-failte-32-shamrock-fund-j1ers-great-ambassador%e2%80%8bs-for-ireland-in-usa-and-more/>

Please feel free to call me at 347 827 8713 if you have further questions, and we look forward to assisting you in your efforts searching for employment. Hopefully we'll get a chance to meet up at an upcoming event.

Kind regards,
Maurice

From: Dermot Hartigan <dh364@law.georgetown.edu>
To: mauricelanders@yahoo.com
Sent: Tuesday, August 30, 2011 6:58 AM
Subject:

Dear Mr Landers,

Treasa Smith recommended that I contact yourself and that you may be able to offer me some guidance.

My name is Dermot Hartigan and I am from Belfast, Ireland. I recently graduated from Georgetown University Law Center where I gained an LL.M. in International Legal Studies in addition to a certificate in International Human Rights. Prior to going to Georgetown I read law at Queen's University Belfast (QUB) in Northern Ireland and successfully completed the New York State Bar Exam in February 2010 and was sworn in as an attorney in June of the same year. I have also had the opportunity to study a number of business modules during an earned scholarship from the British Council at Regis College in Massachusetts.

I intend to move to the East coast in the coming weeks to pursue a career in law but given the economic climate I am finding it difficult to make connections and I am extremely worried about what the immediate future entails. Any guidance or advice would be welcomed and greatly appreciated.

Best regards,

Dermot Hartigan

EXHIBIT 6

----- Forwarded message -----

From: "Katie Fox" <katie.fox@ciic-usa.org>

Date: Sep 2, 2011 10:43 AM

Subject: re: SPAM-MED: Shamrock Fund Launched - Applications Now Being Accepted From Those In New York On J-1 IWT Program

To: "Failte32 Failte32" <failte32@gmail.com>

Cc:

Hi

Just wondering if I can put this information in our September newsletter - it is very newsworthy!!

Thanks,
Katie.

National Coordinator
Coalition of Irish Immigration Centers
P.O. Box 6127
1191 Solano Avenue
Albany
CA 94706

----- Original Message -----

> From: "Failte32 Failte32" <failte32@gmail.com>

> Sent: Thursday, September 01, 2011 5:28 PM

> To: marybeggan@aol.com, eamonn2064@gmail.com, joemcmanus@boardwalkpropertygroup.com,
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09005824@studentmail.ul.ie, prenday@hotmail.com, locobaz@hotmail.com, andrepenco@hotmail.com,
markberkowsky@nypl.org, j.eagles1@nuigalway.ie, aoife1704@eircom.net, b.geraghty1@gmail.com,

rachael@irishartscenter.org, irishpubguide@gmail.com, declan.c@hotmail.com, christyodowd@gmail.com, conor.mcentee153@gmail.com, orlacommunications@gmail.com, rdooling@swbell.net, conordoyle25@gmail.com, horanel@tcd.ie, c.ruane3@nuigalway.ie, tinnertom28@aol.com, community.affairs@nyu.edu, katie.fox@ciic-usa.org, rebeccaduggan@hotmail.com, ciara.mccarthy2@hotmail.com, maryor80@gmail.com, tadhgcrowley@hotmail.com, aonghusms@hotmail.com, ciaranbreslin@gmail.com, deszie@gmail.com, noel.slevin@talk21.com, shanebeltra@hotmail.com, patrickwolohan@yahoo.com, mackerpaul@hotmail.com, amangujral1989@gmail.com, mmuldoon@irishcentral.com, gwenorel@comcast.net, ciaran@irishlobbyusa.org, lazylepracun@gmail.com, shanedrummond@msn.com, l.conlon1@nuigalway.ie, cathalmaccaba@hotmail.com, fiotoole@tcd.ie, izziedk@hotmail.com, rmillar@iicenter.org, julieskehan@hotmail.com, fiona.haugh5@gmail.com, nboyle500@hotmail.com, nataliedoherty@live.com, niamh.nichonchubhair@axisballymun.ie, rdaibhis@gmail.com, maurice@aschweitzer.org, mcarroll@iicenter.org, weemim1@hotmail.co.uk, michael.j.mellody@ml.com, JJFCO1@aol.com, mel_deane@yahoo.com, sharondcoursey@hotmail.com, shanetcc@aol.com, johnvesey@aol.com, employmentcoordinator@eic.org, paulfarrell13@hotmail.com, mkliche2@yahoo.com, kvaughn@graceinstitute.org, healthyrob@gmail.com, sstorms@ctreiber.com, tiernan.walsh@rht.com, dh364@law.georgetown.edu

> Subject: SPAM-MED: Shamrock Fund Launched - Applications Now Being Accepted From Those In New York On J-1 IWT Program

>

> Hi everyone

>

> We have now launched the *Shamrock Fund SM* to support longer-term J-1 visa
> holders who may be finding it difficult finding employment in the U.S.,
> which is totally understandable in the current economic environment. The
> Fund will subsidize (or fully pay) the membership of IWT J-1 visa holders to
> influential Irish American business and cultural organizations in the U.S.
> Generally speaking, criteria for eligibility will depend on how long one has
> been seeking employment in the U.S., and a commitment from them to make full
> use of their membership by attending all of the organization's events, and
> proactively networking and volunteering for committees.

>

> We thank those of you who have contributed to establishing this Fund which
> will have ZERO administrative costs i.e. the Fund will have no paid
> employees, hence all of your hard earned donations will be fully
> allocated to supporting those in need. However, at least initially,
> donations will not be solicited from the general population (inc. those of
> you on this mailing list) as we believe everyone has enough on their plates
> as it is, rather donations will be accepted on a discretionary basis from
> potential funders that we have relationships with. Overtime, we plan to
> expand the purpose of the Fund to include supporting other worthy causes,
> while always keeping administrative costs at zero.

>

> We have to make sure that we support our next generation of business leaders
> by ensuring that our graduates gain valuable experience here in the U.S.
> which they can then bring back to Ireland to help put it back on track again
> as one of the most successful economies in Europe. We would like to
> sincerely thank the following business organizations in New York
> for supporting Failte 32 and the Shamrock Fund by offering us a special
> membership rate:

>

> Irish Business Organization - www.IBO-NY.com <<http://www.ibo-ny.com/>>
>
> Irish International Business Network - www.IIBN.com <<http://www.iibn.com/>>,
>
> Irish Network-NYC - www.IrishNetwork-NYC.com <<http://www.irishnetwork-nyc.com/>>,
>
>
> Irish Technology Leadership Group - www.ITLG.org <<http://www.itlg.org/>>,
>
> By reducing the membership rate we pay, the above organizations, aside from
> the great networking for employment opportunities they provide, can help us
> serve more eligible candidates, and possibly pay their annual dues to more
> than one business or cultural organization.
>
> Applications are currently being accepted from IWT J-1 visa holders in the
> New York area with Science, Engineering, Arts/History and Law
> qualifications. We are now asking all of you, particularly J-1 sponsors and
> support organizations, to spread the word. Please have them submit their
> request via the contact section on www.failte32.org, and indicate how
> long they have been seeking employment in the U.S., their field of study,
> and how they plan to utilize their membership. We will match suitable
> candidates with well established organizations in New York, such as those
> above, that can put them in front of potential employers.
>
> We will begin reviewing applications this month, and will start placing
> eligible candidates in appropriate organizations towards the end of
> September.
>
> As the Taoiseach (Irish Prime Minister), Mr. Enda Kenny, T.D., was recently
> quoted as saying in a speech he made at a Galway Chamber business luncheon
> back in Ireland "**We all need to pull together, we have a lot to offer and a
> lot going for ourselves**".
>
> Kind regards
>
> Failte 32 Committee

EXHIBIT 7

From: <IJUCHEALY102000@aol.com>

Date: Sep 2, 2011 8:30 AM

Subject: Re: Shamrock Fund Launched - Applications Now Being Accepted From Those In Ne...

To: <failte32@gmail.com>

Cc:

Maurice. A great idea. The Shamrock Fund should be very helpful. Our best wishes for a successful outcome in this endeavor. Tom Healy.

In a message dated 9/1/2011 8:28:07 P.M. Eastern Daylight Time, failte32@gmail.com writes:

Hi everyone

We have now launched the **Shamrock Fund**™ to support longer-term J-1 visa holders who may be finding it difficult finding employment in the U.S., which is totally understandable in the current economic environment. The Fund will subsidize (or fully pay) the membership of IWT J-1 visa holders to influential Irish American business and cultural organizations in the U.S. Generally speaking, criteria for eligibility will depend on how long one has been seeking employment in the U.S., and a commitment from them to make full use of their membership by attending all of the organization's events, and proactively networking and volunteering for committees.

We thank those of you who have contributed to establishing this Fund which will have ZERO administrative costs i.e. the Fund will have no paid employees, hence all of your hard earned donations will be fully allocated to supporting those in need. However, at least initially, donations will not be solicited from the general population (inc. those of you on this mailing list) as we believe everyone has enough on their plates as it is, rather donations will be accepted on a discretionary basis from potential funders that we have relationships with. Overtime, we plan to expand the purpose of the Fund to include supporting other worthy causes, while always keeping administrative costs at zero.

We have to make sure that we support our next generation of business leaders by ensuring that our graduates gain valuable experience here in the U.S. which they can then bring back to Ireland to help put it back on track again as one of the most successful economies in Europe. We would like to sincerely thank the following business organizations in New York for supporting Failte 32 and the Shamrock Fund by offering us a special membership rate:

Irish Business Organization - www.IBO-NY.com

Irish International Business Network - www.IIBN.com,

Irish Network-NYC - www.IrishNetwork-NYC.com,

Irish Technology Leadership Group - www.ITLG.org.

By reducing the membership rate we pay, the above organizations, aside from the great networking for employment opportunities they provide, can help us serve more eligible candidates, and possibly pay their annual dues to more than one business or cultural organization.

Applications are currently being accepted from IWT J-1 visa holders in the New York area with Science, Engineering, Arts/History and Law qualifications. We are now asking all of you, particularly J-1 sponsors and support organizations, to spread the word. Please have them submit their request via the contact section on www.failte32.org, and indicate how long they have been seeking employment in the U.S., their field of study, and how they plan to utilize their membership. We will match suitable candidates with well established organizations in New York, such as those above, that can put them in front of potential employers.

We will begin reviewing applications this month, and will start placing eligible candidates in appropriate organizations towards the end of September.

As the Taoiseach (Irish Prime Minister), Mr. Enda Kenny, T.D., was recently quoted as saying in a speech he made at a Galway Chamber business luncheon back in Ireland "**We all need to pull together, we have a lot to offer and a lot going for ourselves**".

Kind regards

a 32 Committee

EXHIBIT 8

----- Forwarded message -----

From: **Seamus Mc Daid** <fbspecial@yahoo.co.uk>

Date: Wed, Sep 14, 2011 at 7:47 PM

Subject: Re: Failte32 connecting the Irish in NYC Contact: Application for funding from the Shamrock Fund

To: Failte32 Failte32 <failte32@gmail.com>

Hi Maurice,

Thanks so much I really appreciate the help. I'll get in touch with the two presidents right away and offer whatever assistance I can be of.

If there is anything I can help you out with please let me know.

Regards,

Seamus McDaid

--- On Wed, 14/9/11, Failte32 Failte32 <failte32@gmail.com> wrote:

From: Failte32 Failte32 <failte32@gmail.com>

Subject: Re: Failte32 connecting the Irish in NYC Contact: Application for funding from the Shamrock Fund

To: fbspecial@yahoo.co.uk

Cc: gina.reilly@macquarie.com, "Niall O'Leary" <nialloleary@ireland.com>

Date: Wednesday, 14 September, 2011, 23:33

Hi Seamus

Thank you for your email. Congrats on the great community work you are doing.

The Shamrock Fund will pay for your annual membership to the IBO (www.ibo-ny.com) and Irish Network NYC (www.irishnetwork-nyc.com), both excellent job/business networking organizations. I have cc'd both Presidents.

I have met one or two members of the IBO involved in the sports area, and the Irish Network-NYC has a golf outing on Sept. 17 which might be a good way to immediately meet the board and its members.

Criteria for sponsorship through the Shamrock Fund is that you proactively engage with these organizations by volunteering for committees etc., which based on your email, should be no problem to you.

Best of luck with your endeavours. Hopefully we will get to meet you at an upcoming event.

Best regards

Maurice - Failte 32 Committee

On Wed, Sep 14, 2011 at 12:32 PM, Seamus McDaid <fbspecial@yahoo.co.uk> wrote:
To: Webmaster

From:
Seamus McDaid
fbspecial@yahoo.co.uk

Message:
To whom it may concern,

I would like to apply for support from the Shamrock fund.

I moved to New York on a graduate J1 in late June. Previous to this I was working as marketing manager in our family business. However, as the opportunity to take up this visa type expired in June 2011, I left to try and gain exposure to the American sports industry.

I graduated from UCD with a 2.1 in Sport and Exercise Management in June 2010. The day after my final exam I moved to Australia where I took up the role of International Recruiting Manager with Flying Start Sports Management. Essentially I identified talented GAA players, placing them with Aussie Rules clubs in Australia; Kerry's Tommy Walsh being the best known client I managed. Furthermore, my role included looking after whatever issues they may have had. I had been lucky enough to intern with Flying Start the previous summer and they offered me a more permanent position at the end of the intership which I turned down to return and finish my studies.

Unfortunately due to events outside of my control Flying Start was sold and reformed, less their international wing, in March 2011. While disappointed at this turn of events I had already begun the application process to come to America before the company disbanded as I knew that American exposure was critical to my professional development.

Since June I have applied for numerous positions but had little success. Recently, however, things have begun to look up as I have been working at the US Open for the past two weeks. Whilst I am now finished work with the US Tennis Association, they have already asked me to return as an employee next year. I have also attended two sports careers fairs and, whilst I have received great feedback, I have had no job offers. As well as the job hunt I have volunteered at the Aisling Irish Centre where I have been helping distribute food to homeless people in the city on a Monday evening. Additionally, I have been coaching gaelic football at the St.Raymonds Club.

I really feel that I could utilize the Shamrock Fund. It would provide a door opening that I am unable to do by myself. Each time I have come in contact with a person within the industry they have been impressed

by my knowledge and experience, however I have had very limited opportunities to meet these people. The Shamrock Fund would provide greater opportunity to meet the right contacts and provide a greater chance of securing employment.

Thank you for taking the time to read this and for your continued support to the Irish community in New York.

Regards,

Seamus McDaid
9146193523

Sent from (ip address): 108.41.44.96

(pool-108-41-44-96.nycmny.fios.verizon.net)

Date/Time: September 14, 2011 4:32 pm

Coming from (referrer): <http://www.failtc32.org/contact-us/>

Using (user agent): Mozilla/5.0 (Windows NT 5.1) AppleWebKit/535.1 (KHTML, like Gecko) Chrome/13.0.782.220 Safari/535.1

EXHIBIT 9

Sent: Friday, October 07, 2011 02:23 PM
Subject: Message from Loretta

Dear Friends,

Great friends of the Fund and founders of the Jack and Jill Children's Foundation , Senator Mary Ann O'Brien and Jonathan Irwin, are launching *The Jack and Jill Shamrock Fund* in New York. Please see the invitation attached. We are delighted to welcome you and a guest to this very special reception on:

Date: Monday, October 24th

Time: 6.00pm

Venue: Lily O'Brien's Café- 36 West 40th Street (between 5th & 6th Avenues)

Please RSVP to iconlan@irlfunds.org



With very best wishes,

Loretta Brennan Glucksman
Chairman
The American Ireland Fund

EXHIBIT 10

----- Forwarded message -----

From: **Donal O'Conghaile** <oconghd@gmail.com>

Date: Sun, Oct 9, 2011 at 6:55 PM

Subject: IBO - Shamrock Fund

To: Failte32 Failte32 <failte32@gmail.com>

Hi Maurice, how are you?

Just to update you on what I'm doing these days. I'm working two internships at two different websites doing online marketing/ social media. I'm building up more great experience but still on the lookout for a full-time job. I'm really hoping to work through the Irish community to secure a full-time job and H1B visa sponsorship.

Would you recommend me getting involved with the IBO? I have a fellow-J1 friend who recently got a job through the IBO so I thought it could be useful for me to get involved. I don't know why I didn't request it earlier when I signed up with the Shamrock Fund.

I've really been enjoying getting involved in the IIBN and Irish Network, so thank you again for everything you've done for me. However, I went to an Irish Network event a couple of weeks ago and no one seemed to know who I was - maybe I just wasn't talking to the right people.

Hope you're doing well,

Donal O'Conghaile

On Wed, Sep 7, 2011 at 5:44 PM, Donal O'Conghaile <oconghd@gmail.com> wrote:
Great thanks. Talk to you then!

On Wed, Sep 7, 2011 at 5:43 PM, Failte32 Failte32 <failte32@gmail.com> wrote:
Yes, I have informed them that you will be attending.

Best
Maurice

On Wed, Sep 7, 2011 at 5:40 PM, Donal O'Conghaile <oconghd@gmail.com> wrote:
Thanks Maurice.

So am I officially a member of the IIBN and will I be allowed in at the door?

Best,
Donal

On Wed, Sep 7, 2011 at 5:33 PM, Failte32 Failte32 <failte32@gmail.com> wrote:
Hi Donal

Details of the event are below:

http://www.iibn.com/newyork/events?event_id=14

See you there.

Best
Maurice

On Wed, Sep 7, 2011 at 11:47 AM, Donal O'Conghaile <oconghd@gmail.com> wrote:
Hi Maurice,

Thank you for your email and for including me in the Shamrock fund. This will be great in helping me to connect with the Irish community in New York and to hopefully further my career. Can you send me details of the event on Thursday that you mentioned?

And I will keep Caro in mind for the visa. Visas and sponsorship in the U.S. is a complicated affair so thank you very much for that contact.

Regards,
Donal

On Tue, Sep 6, 2011 at 7:23 PM, Failte32 Failte32 <failte32@gmail.com> wrote:
Hi Donal

Sorry for the delay in getting back to you. Congrats on your great work in the Irish community. Yes, we will gladly pay your membership to the IN-NYC and the IIBN. The IIBN have an event on Thursday so it would be a good opportunity for you to meet some great business people. The organization is very well run and has some great people behind it. Both organizations should get back in touch with you to confirm membership.

I have also cc'd our immigration attorney, Caro Kinsella, who might have some ideas for you on the visa side of things.

Hopefully I'll get to meet you Thursday, where we can chat more.

Best
Maurice

On Thu, Sep 1, 2011 at 10:45 PM, Donal O'Conghaile <oconghd@gmail.com> wrote:
To: Webmaster

From:
Donal O'Conghaile

oconghd@gmail.com

Message:

Dear Failte 32,

I am almost 6 months into my 12-month J visa. When I initially arrived in New York, I did all I could to network and find a job: I connected with the great Irish community there is here by going to events by the Irish Network NYC and the New York Irish Center, meeting with the Emerald Isle Immigration Center and by integrating myself with the Irish where I live, in Sunnyside (mainly by going to the many Irish pubs here). My efforts paid off and after 5 weeks I secured a paid internship for the summer.

This internship ended on August 12th so I find myself back on the job market. I have stayed connected to the New York Irish Center, where I volunteer at computer classes for senior citizens and I also assist the Center with their social networking. I have a business degree from Trinity and I'm looking for work in marketing/ digital media/ social media in the online or publishing industries.

The Shamrock fund is a brilliant idea and the timing of its launch could not be better for me. I'd love to avail of the Fund to secure membership in the Irish Network NYC and any other organisation that may be helpful for me in my search for work.

I have really settled here in the States and my ultimate goal is to be sponsored for a H1B visa so that I may stay here for longer than the 12 months.

Thank you for setting up this initiative and I hope to hear back from you soon.

Regards,
Donal O'Conghaile

My LinkedIn profile:
<http://www.linkedin.com/pub/donal-o-conghaile/15/9b0/8b4>

Sent from (ip address): 74.73.93.215 (cpe-74-73-93-215.nyc.res.rr.com)

Date/Time: September 2, 2011 2:45 am

Coming from (referrer): <http://www.failte32.org/contact-us/>

Using (user agent): Mozilla/5.0 (Windows NT 6.0) AppleWebKit/535.1 (KHTML, like Gecko) Chrome/13.0.782.218 Safari/535.1

--

Donal O'Conghaile

<http://www.linkedin.com/in/donaloconghaile>

EXHIBIT 11

Dear Senator Mary Ann O'Brien and Jonathan Irwin,

It was recently brought to my attention that you are launching the Jack and Jill Shamrock Fund here in New York on October 24th.

I am one of the founding members of Failte 32 (www.failte32.org) which was set up last year to assist J-1 visa holders in finding employment in the U.S. It's a purely voluntary initiative that was organized by a few business people in the Irish American community in New York, with the support of over 20 affiliated Irish American organizations and numerous strategic partners, to try to assist our new arrivals by connecting them to Irish networks here in the U.S.

Failte 32 recently launched the **Shamrock Fund** SM to further its goal of actively connecting visa holders with Irish networks in the U.S. The launch was announced through our extensive contact list that includes business and community leaders in the Irish and Irish American community in New York and further afield, the Irish Govt., New York City and State Govt., academic institutions on both sides of the Atlantic, Irish American charitable organizations etc. Therefore, at the very least, the announcement of the launch of the **Shamrock Fund** SM would have been communicated to most of the main players in the Irish American community in New York.

We were thus quite surprised to hear about the launch of another fund in New York with the words "Shamrock Fund" in its name, almost a month to the day after we launched the **Shamrock Fund** SM. Therefore, I am interested in finding out what your intention is, as we have applied for registration of "Shamrock Fund" in NY state and thus there may be an issue that I'd like to discuss and resolve if need be before it's a bigger issue for everyone. We also own the shamrockfund.org domain name, and have filed an application for reservation of the "Shamrock Fund" corporate name with the New York State Department of State.

Thanking you sincerely for your attention to this matter. FYI, below is the Coalition of Irish Immigration Centers September newsletter featuring Fáilte 32 and the Shamrock Fund.

Kind regards

Maurice D. Landers



COALITION OF IRISH
IMMIGRATION CENTERS

September 2011

Coalition of Irish Immigration Centers Newsletter

In This Issue

[Coordinator's News](#)

[Meeting with An Tánaiste](#)

[Chicago Immigration Success](#)

[Fáilte 32](#)

[Just for Fun](#)

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Dear Maurice,

Welcome to September's edition of the CIIC newsletter. What a busy month September turned out to be for the Coalition. There was a lot of activity around the various sub-committees and then of course there was An Tánaiste's visit which proved a great success. Full details are included in this month's newsletter.

Because of this, there will be no featured center this month but we promise to resume next month with San Francisco IIPC

There is an article in this month's newsletter about the actions of Cook County in Chicago in response to ICE's Secure Communities. It will be interesting to see if other Counties across the country will take their lead.

The feature on Fáilte 32 and their new fund to help IWT J-1 visa holders network within the Irish community is well worth considering. It is hoped that it is something that will draw a lot of interest and participation by IWT J-1 Visa Holders.

News from the Coordinator

Katie Fox



Phew! What a busy month (and it's not over yet). The return of most from vacation and the resumed work of all of the sub-committees made for an accelerated work-load growth over the past month. An Tánaiste's visit was then thrown in for good measure to ensure I stayed on my toes!!

Having said that, after working in a perceived vacuum in August it was nice to have people around off which to bounce ideas, get feedback etc. The meeting with An Tánaiste was very positive and I feel that the Coalition really exhibited its professionalism and left An Tánaiste in no doubt about the invaluable work that is being done on the ground by all of the centers and the commitment of those involved.

In terms of the sub-committees this month, some of my work included:

- Convening the Detention Sub-committee meeting. The two page Detention Handbook for Centers has been drafted and will be ready for circulation following a final edit. The Prison Visitation Guidelines will be ready for finalization at the next meeting. A decision on how a Prison Visitation Program will be rolled out and is for discussion at the next meeting
- Working with the J1 Sub-committee on progressing some of the issues highlighted in previous meetings including - combating the negative press regarding J1 visa holders with accommodation providers & employers, ensuring better orientation of our Irish students before they come to the U.S. and working with the sponsoring bodies in Ireland to ensure a good partnership with the Immigration Centers here
- Ensuring the approval of training and the rolling out of the Outcome Measures Initiative with the Boston Centers on Social Services and with Chicago and EIIC on Immigration
- Finalizing the Request for Proposals and Budget for the Senior Helpline and then circulating it to the member centers. It is hoped that interested Centers will get their Proposals back before the 5th of October and a decision will be made soon thereafter
- Convening the Fundraising sub-Committee. It was agreed that the full Board should attend the initial meeting to prioritize areas for funding and suggest an overall fundraising target
- Circulating the Draft Fiscal Policies and Procedures for comment by the Board and drafting a budget for the next fiscal year. Approval will be sought from the Board regarding our fiscal year change to bring it in line with Department of Foreign Affairs funding.

There was a large degree of preparation for An Tánaiste's visit which ensured a cohesive and productive meeting with him. The CIIC were clear on the issues it wanted highlighted and what it was asking of An Tánaiste. This preparation made for a very successful meeting.

All in all, September proved to not only be a busy month, but a very productive one.

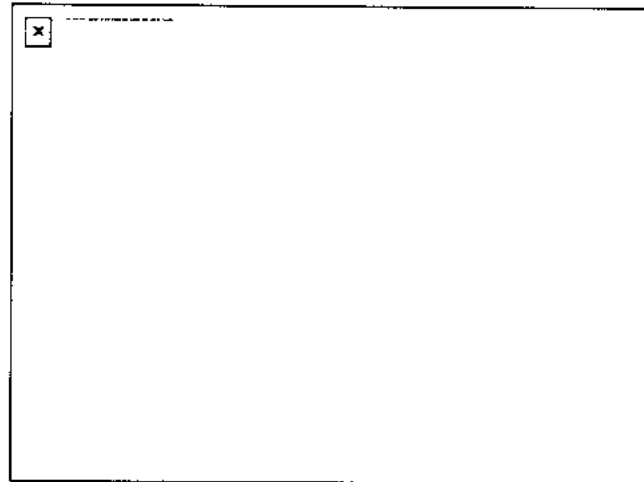
Coalition of Irish Immigration Centers meet with An Tánaiste & Minister for Foreign Affairs, Mr. Eamon Gilmore

While in New York on U.N. business, An Tánaiste and Minister for Foreign Affairs, Mr. Eamon Gilmore graciously took time out of his busy schedule to meet with the Coalition of Irish Immigration Centers to discuss the work of the member centers and the issues and concerns facing the Irish diaspora in the United States.

The Coalition highlighted the many issues faced by its member centers on a daily basis and presented on the various services provided by them to the Irish Community including immigration advice & support and social services. An Tánaiste showed an active interest asking pertinent and thought provoking questions throughout.

Immigration to the United States, the difficulties faced by the undocumented Irish and the need for future flow from Ireland led to a focused discussion. With Comprehensive Immigration Reform not on the cards for the foreseeable future, the Coalition asked An Tánaiste for his continued support for both CIR and a solution to address future flow. An Tánaiste is well aware of the issues and stated it as an ongoing discussion point between the Irish and American administrations.

CIIC President Siobhan Dennehy highlighted some the issues that arise from lack of immigration status - "Lack of immigration status is the basis for most of the workload of the Irish Centers across the country. Undocumented Irish immigrants suffer many social issues as a result of living life in the shadows including depression, drug & alcohol abuse, family issues,



Coalition of Irish Immigration Centers meet with
An Tánaiste, Mr. Eamon Gilmore, in NY
September 2011

detentions, deportations and long-term imprisonment. The CIIC appreciates the Irish government's continued support of the services provided by our member centers to the undocumented Irish and the government's continued work on their behalf."

The meeting was energetic and productive and the Coalition is grateful to An Tánaiste for his willingness to meet with them. It shows recognition by him for the important work being done by the centers in servicing the Irish Community in the U.S.

The meeting ended on a positive note and the Coalition is hopeful, economic climate withstanding, that An Tánaiste and the Department of Foreign Affairs will continue to fund and support the Coalition and its member centers as they continue to play an important role in the Irish Community here in the U.S.

Chicago Immigration Success

Cook County, the most populous county in the nation and home to

the City of big shoulders, Chicago, passed a historic pro-immigrant ordinance on Wednesday September 7th. The Cook County Board voted 10-5 to pass a simple, well-reasoned ordinance on immigration after hearing the arguments of the Chicago Celts for Immigration Reform and the Illinois Coalition for Immigrants and Refugee Rights (ICIRR).

The ordinance requires the Immigration and Customs Enforcement (ICE) agency to reimburse the County if it wants to hold people in county jails longer than local law allows. This is a historic victory for Cook County taxpayers, the rule of the law, and public safety. It will save the county \$15 million annually in a time of budget crisis in Illinois. It also means that people arrested for minor traffic incidents will no longer be held for ICE and heralds a victory for immigrant families who are still being separated by ICE in record numbers. It should be noted though that the ordinance relies on 5 separate safeguards to ensure no dangerous criminal is released.

Chicago has lead the way nationally on pro-immigrant issues, being the first city to draw over half a million immigrant advocates on to the street in a march calling for comprehensive immigration reform in 2006. This march encouraged other cities to follow suit and also set the scene for Chicago's famous politics to turn to immigration issues. The Chicago Celts for Immigration Reform have been at the forefront of moves to promote immigrant friendly policies and changes in legislation that respect our nation's rich immigrant history.

In addition to the Cook County ordinance, Illinois's Governor Pat Quinn recently withdrew from Immigration and Custom Enforcement's (ICE) Secure Communities program. The program would have seen state police collaborate with ICE to remove immigrants arrested by local authorities.

Quinn stated that Secure Communities was not on target with its mandate of identifying individuals who have been "convicted" of "serious criminal offenses," adding that in Illinois "more than 30 percent of those deported from the United States, under the program, have never been convicted of any crime" based on federal statistical data compiled through Feb. 28, 2011.

The governors of Massachusetts and New York quickly followed Illinois's lead and withdrew their states from Secure Communities.

However, as expected, anti-immigrant forces have already begun their backlash. The Sun-Times published a misleading article, falsely claiming that felons will not be handed over to ICE.

Anti-immigrant phone calls are coming in more than 2 to 1 in Commissioners' offices.

Breandán Magee, Executive Director of Chicago Irish Immigrant Support added, "The truth is that in addition to saving taxpayer dollars and defending the U.S. Constitution this bill restores faith between immigrant communities and the police. Chicago is setting a precedent that we hope can be replicated nationally; clearly the immigration debate has stalled on the national stage so we must take the fight to the state and local level".

Much work remains to be done if immigration reform is to be achieved federally but Chicago is holding the course and making a big difference on the ground. Let's hope that progressive legislative moves from states like Illinois surpass the negative Arizona style laws that have put the cause back decades

Fáilte 32

An Initiative for New Irish Arrivals in New York

Fáilte 32 is an initiative set up last year to help new arrivals from Ireland find employment in New York. It is hoped that by connecting them to all the influential Irish organizations in New York City it will put these new arrivals in front of potential employers and increase their chances of finding viable employment in the U.S.

Fáilte 32 recently launched the Shamrock Fund SM to further its goal of actively connecting visa holders with Irish networks in the U.S.

The Fund will subsidize (or fully pay) the membership of IWT J-1 visa holders to influential Irish American business and cultural organizations in the U.S. Criteria for eligibility includes how long one has been seeking employment in the U.S., and insists on a firm commitment from the IWT J1 visa holder to make full use of their membership by attending all of the organization's events, and proactively networking and volunteering for committees.

The fund will have ZERO administrative costs i.e. the Fund has no paid employees, hence all of the hard earned donations will be fully allocated to supporting those in need. Over time, the organizers plan to expand the purpose of the Fund to include supporting other worthy causes, while always keeping administrative costs at zero.

One of the co-founders of Fáilte 32, Maurice Landers stated

"We have to make sure that we support the next generation of Irish business leaders by ensuring that our graduates gain valuable experience here in the U.S. which they can then bring back to Ireland to help put it back on track again as one of the most

successful economies in Europe."

Four influential Irish organizations have already offered eligible candidates a special membership rate:

Irish Business Organization - www.IBO-NY.com
Irish International Business Network - www.IIBN.com
Irish Network-NYC - www.IrishNetwork-NYC.com
Irish Technology Leadership Group - www.ITLG.org

By reducing the membership rate, the above organizations, not only will provide great networking opportunities, but will also help the Shamrock Fund SM serve more eligible candidates, possibly paying their annual dues to more than one business or cultural organization.

Applications are currently being accepted from IWT J-1 visa holders in the New York area with Science, Engineering, Arts/History and Law qualifications.

Interested candidates should submit their request via the contact section on www.failte32.org and indicate; how long they have been seeking employment in the U.S; their field of study; and how they plan to utilize their membership.

The Fund will match suitable candidates with relevant organizations in New York to increase their chances of employment by providing networking opportunities with potential employers. The Fund started reviewing applications this month, and has already sponsored two IWT J-1 visa holders. Caro Kinsella is **Faite 32's** immigration attorney and she has been assisting them in this process.

Mr Landers added that An Taoiseach (Irish Prime Minister), Mr. Enda Kenny, T.D., was recently quoted at a Galway Chamber of Commerce luncheon back in Ireland as saying

"We all need to pull together, we have a lot to offer and a lot going for ourselves"

Fáilte 32 are certainly fulfilling that need in New York in assisting our new graduates to display what they have to offer to potential employers here in the United States.

For further information check out their website at

Just for Fun

Joke

An Irish turtle was walking down an alley in New York when he was mugged by a gang of snails. A police detective came to investigate and asked the turtle if he could explain what happened.

The turtle looked at the detective with a confused look on his face and replied "I don't know, it all happened so fast."

Trivia

Answers to last month's trivia questions are in red below:

1. What is the name of Frank McCourt's follow-up memoir to "Angela's Ashes"?

- a) A Monk Swimming
- b) Tara Road
- c) 'Tis

2. What is the largest county in Ireland?

- a) Dublin
- b) Cork
- c) Tipperary

3. What was Michael Collins' fiancée called?

- a) Kitty Kiernan
- b) Nora Barnacle
- c) Maude Gonne

This month's questions:

1. In 1951 which film was shot on location in Cong, County Mayo and directed by John Ford?

- a) The Quiet Man
- b) Darbie O'Gill & The Little People
- c) Ryan's Daughter

2. Who was the first High King of Ireland?

- a) Cúchulainn
- b) Brian Boru
- c) Tuatha Dé Danann

3. Which Irish musician now has a statue to him on Harry

Street off Grafton Street in Dublin?

- a) O'Carolan
- b) Bono
- c) Phil Lynott

The Coalition of Irish Immigration Centers (CIIC) is a national umbrella group for all of the Irish Immigration Centers in the US. The CIIC was established in 1996 to promote the welfare of Irish immigrants in the US at a national level.

If you wish to submit an article or highlight something going on in your center to this newsletter, please submit to katie.fox@ciic-usa.org before the 10th of the month.

Sincerely,

Coalition of Irish Immigration Centers

Forward email

EXHIBIT 12

Dear Maurice,

I got a signal via the Ireland Fund last week about Failte 32 & Shamrock Fund. To fill you in quickly we applied for the name on a worldwide basis in the Charitable Section some months ago after searches showed there were no other organisations with a similar name (which surprised us). Since that time our solicitors have received no objections. From my conversations last week I understood that you were about to apply for the name to be registered in New York State only.

We are using the name solely as an addition to The Jack and Jill Childrens Foundation to make the Irish Diaspora aware of the lack of funding and services for fragile babies provided by the State here in Ireland.

The last thing on our minds would be to discommode you in your efforts by causing any confusion for you. Our prescence in New York will be minimal, unless we have another reception such as the one on 24th in Lily O'Briens I doubt the name will reappear as Jack and Jill is our banner. There is no intention to have a permanent being in NYC.

Kindest regards,

Jonathan

Jonathan Irwin
C.E.O.

Text Campaign. Text the word "PINT" to 57034. Cost €5 (Cost of a pint) Our children receive €4.95. Sláinte!

Help us today to raise funds by donating your old mobile phone, printer cartridges and computer equipment!



FREEPOST ADDRESS @ THE JACK AND JILL MOBILE APPEAL, FREEPOST, RATOATH ROAD, FINGLAS, DUBLIN 11 – 1850 52 55 45

EXHIBIT 13

----- Forwarded message -----

From: "Megan Maguire" <megan.maguire2@mail.dcu.ie>
Date: Oct 21, 2011 1:45 PM
Subject: Re: Failte32 connecting the Irish in NYC Contact: Boston
To: "Failte32 Failte32" <failte32@gmail.com>
Cc:

Hi Maurice,

All that information you have sent has been most helpful. Thank you so much.

Kind Regards,
Megan

On 20 October 2011 15:48, Failte32 Failte32 <failte32@gmail.com> wrote:
Hi Megan

Thank you for your email. We launched Failte32.org last year in response to the problems Irish visa holders (Summer J-1 and IWT one year J-1 visa types) were having finding employment in the U.S. It's a voluntary initiative set up by a few business people in NY to help work visa holders find employment in NY and the US. Failte 32 initially set out to support Summer J-1 visa holders in their search for employment, and having been successful in doing this, we started focusing our efforts on helping longer-term visa holders find employment in their field of expertise. We will of course continue to support those coming out on the Summer J-1 visa each year.

The main idea behind Failte 32 is to connect new arrivals to the main Irish organizations in NY (affiliated organizations), and to the Irish American community as a whole. It does this through the Failte32.org website, and also, quite uniquely, through the Irish Restaurant and Bar network, places where traditionally the Irish have socialized and gathered information on job opportunities.

By connecting with our affiliated organizations through their monthly events, new arrivals can gain access to their circle of influence in the US i.e. fellow Irish and potential employers. This is very important in the current economic environment as job seekers need to give themselves every chance possible of finding a job.

Failte 32 has over 20 affiliated Irish organizations that have committed to offering their support. We ask all new arrivals to browse their websites (under 'affiliations' tab on Failte32.org) and make a note of their upcoming events. By attending these events, you can potentially get in front of employers and decision makers in companies immediately, rather than just sending a resume to employers in the hope that it will be picked up by the HR dept. from amongst the hundreds they receive on a daily basis.

Failte 32 emphasizes the importance of developing your 'job network'. It's no longer sufficient to depend on applying for jobs online. One has to now proactively get out there and develop their network. We also list the events of our affiliated organizations on the 'news/events' section of Failte32.org, which makes it easier for you to connect with our affiliated organizations.

I would suggest, as a start, that you first contact the Irish Network-NYC (www.irishnetwork-nyc.com President Gina.Reilly@macquarie.com), the Irish Business Organization (www.ibo-ny.com President niall@leary@ireland.com), the New York Irish Center (www.newyorkirishcenter.org Executive Director Paul Finnegan paul@newyorkirishcenter.org), and the Irish International Business Network (www.iibn.com Director Ailbhe Mullen AMULLEN@Corcoran.com)

It would also be worth your while contacting Paddy McCarty who I have cc'd on this email. He is a founding member of Failte 32 and the owner of the Irish Examiner USA and Irish Connections magazine. He may be able to point you in the right direction.

I have also asked the Irish Consulate to add you to their list of upcoming events, particularly media related events.

We also provide additional support through our strategic partnerships (click on logo on 'strategic partners' page on Failte32.org). These partners were chosen on the basis that they are serious about supporting Failte 32, so please reference Failte 32 if you decide to contact their HR dept.

Please also visit the 'job search support' section on Failte32.org which redirects you to the RendezVous353.com website, one of our strategic partners and a new social and business portal for the Irish at home and abroad, often referred to as the Irish Facebook. Use the RendezVous353 platform to search contacts, organizations and employers in New York and the USA. Please also visit the 'Failte 32' and 'maurice landers' minisites on RendezVous353 (forums and blogs) which contain prior Failte 32 newsletters, tips, some job announcements, contacts, and other relevant information pertinent to your job search. Registration, which is free, is required in-order to access this mini-site (takes 30 secs to register).

Additionally, Failte 32 provides other services such as free classified ads in the Irish Examiner USA newspaper, and the use of O'Casey's pub in New York for free wifi and refreshments while searching for employment.

We have added you to our newsletter/email list. This newsletter which is sent out to organizations, companies, and a broad cross-section of people in the Irish American community, will keep you up to date on our activities and activities within the Irish American community. Please also send me a blurb which I can place in the Irish Examiner USA classified section and in our next Failte 32 email/newsletter.

We recently launched a new fund called the Shamrock Fund, to assist those who have been finding it difficult to find employment in the U.S. Click on the link below for further details.

<http://www.failte32.org/about-failte-32/useful-articles/failte-32-newsletter-j1ers-g%e2%80%8b%e2%80%8bet-your-tax-refund-new-failte-32-shamrock-fund-j1ers-great-ambassador%e2%80%8bs-for-ireland-in-usa-and-more/>

Please feel free to call me at 347 827 8713 if you have further questions, and we look forward to assisting you in your efforts searching for employment. Hopefully we'll get a chance to meet up at an upcoming event.

Kind regards,
Maurice

On Wed, Oct 19, 2011 at 2:07 AM, Megan Maguire <megan.maguire2@mail.dcu.ie> wrote:
To: Webmaster

From:

Megan Maguire
megan.maguire2@mail.dcu.ie

Message:
Hi Failte 32,

I moved over from Ireland to Boston in late August and since then I have tirelessly been looking for a PR/Media related job. I am on the J1-WT Visa for one year and I need to find a full time job related to my field of study which was Media and Communications (I am open to all forms of Media jobs such as journalism and advertising). I have tried everything from Craigslist, to cold calling CEO's, to contacting HR departments and asking for people who work in the professions help. I understand that you are mainly based in New York (however if there was a possibility of work I would not think twice about moving). I was wondering do you have any advice for me? Either for Boston or New York.

Kind Regards
Megan Maguire

Sent from (ip address): 76.118.198.227
(c-76-118-198-227.hsd1.ma.comcast.net)
Date/Time: October 19, 2011 6:07 am
Coming from (referer): <http://www.failte32.org/contact-us/>
Using (user agent): Mozilla/5.0 (X11; U; Linux i686; en-US; rv:1.9.2.12) Gecko/20101027 Ubuntu/10.10 (maverick) Firefox/3.6.12

EXHIBIT 14

----- Forwarded message -----

From: "Failte32 Failte32" <failte32@gmail.com>

Date: Oct 24, 2011 2:07 AM

Subject: Re: Failte32 connecting the Irish in NYC Contact: Hunting for a job

To: <joeeyclong@hotmail.com>

Cc:

Hi Joseph

Thank you for your email. Just to give you some background on what we do. We launched Failte32.org last year in response to the problems Irish visa holders (Summer J-1 and IWT one year J-1 visa types) were having finding employment in the U.S. It's a voluntary initiative set up by a few business people in NY to help work visa holders find employment in NY and the US.

Failte 32 initially set out to support Summer J-1 visa holders in their search for employment, and having been successful in doing this, we started focusing our efforts on helping longer-term visa holders find employment in their field of expertise. We will of course continue to support those coming out on the Summer J-1 visa each year.

The main idea behind Failte 32 is to connect new arrivals to the main Irish organizations in NY (affiliated organizations), and to the Irish American community as a whole. It does this through the Failte32.org website, and also, quite uniquely, through the Irish Restaurant and Bar network, places where traditionally the Irish have socialized and gathered information on job opportunities.

By connecting with our affiliated organizations through their monthly events, new arrivals can gain access to their circle of influence in the US i.e. fellow Irish and potential employers. This is very important in the current economic environment as job seekers need to give themselves every chance possible of finding a job.

Failte 32 has over 20 affiliated Irish organizations that have committed to offering their support. We ask all new arrivals to browse their websites (under 'affiliations' tab on Failte32.org) and make a note of their upcoming events. By attending these events, you can potentially get in front of employers and decision makers in companies immediately, rather than just sending a resume to employers in the hope that it will be picked up by the HR dept. from amongst the hundreds they receive on a daily basis.

Failte 32 emphasizes the importance of developing your 'job network'. It's no longer sufficient to depend on applying for jobs online. One has to now proactively get out there and develop their network. We also list the events of our affiliated organizations on the 'news/events' section of Failte32.org, which makes it easier for you to connect with our affiliated organizations.

If you send us your resume, we will give you some suggestions of which organizations to link up with.

We will also ask the Irish Consulate to add you to their list of upcoming events, particularly events related to your field of study.

We also provide additional support through our strategic partnerships (click on logo on 'strategic partners' page on Failte32.org). These partners were chosen on the basis that they are serious about supporting Failte 32, so please reference Failte 32 if you decide to contact their HR dept.

Please also visit the 'job search support' section on Failte32.org which redirects you to the RendezVous353.com website, one of our strategic partners and a new social and business portal for the Irish at home and abroad, often referred to as the Irish Facebook. Use the RendezVous353 platform to search contacts, organizations and employers in New York and the USA. Please also visit the 'Failte 32' and 'maurice landers' minisites on RendezVous353 (forums and blogs) which contain prior Failte 32 newsletters, tips, some job announcements, contacts, and other relevant information pertinent to your job search. Registration, which is free, is required in-order to access this mini-site (takes 30 secs to register).

Additionally, Failte 32 provides other services such as free classified ads in the Irish Examiner USA newspaper, and the use of O'Casey's pub in New York for free wifi and refreshments while searching for employment.

We have added your email to our newsletter/email list, and will include your email request in our next issue. This newsletter which is sent out to organizations, companies, and a broad cross-section of people in the Irish American community, will keep you up to date on our activities and activities within the Irish American community. Please also send me a blurb which I can place in the Irish Examiner USA classified section.

We recently launched a new fund called the Shamrock Fund, to assist those who have been finding it difficult to find employment in the U.S. Click on the link below for further details.

<http://www.failte32.org/about-failte-32/useful-articles/failte-32-newsletter-j1ers-g%e2%80%8b%e2%80%8bet-your-tax-refund-new-failte-32-shamrock-fund-j1ers-great-ambassador%e2%80%8bs-for-ireland-in-usa-and-more/>

Please feel free to call me at 347 827 8713 if you have further questions, and we look forward to assisting you in your efforts searching for employment. Hopefully we'll get a chance to meet up at an upcoming event.

Kind regards,
Maurice

On Fri, Oct 21, 2011 at 3:26 PM, Joseph Long <jocyclong@hotmail.com> wrote:
To: Webmaster

From:
Joseph Long
jocyclong@hotmail.com

Message:

Hi,

I have just arrived from Ireland and I just want to know if I should send you my Resume for any job openings. I am living in Yonkers and have 18 month working visa. I would truly appreciate any help to you could provide me.

Thank you very much in advance.

Warmest Regards
Joseph Long

Sent from (ip address): 108.41.109.236

(pool-108-41-109-236.nycmny.fios.verizon.net)

Date/Time: October 21, 2011 7:26 pm

Coming from (referrer): <http://www.failte32.org/contact-us/>

Using (user agent): Mozilla/5.0 (Windows NT 6.1; rv:7.0.1)

Gecko/20100101 Firefox/7.0.1

EXHIBIT 15

----- Forwarded message -----

From: **Failte32 Failte32** <failte32@gmail.com>

Date: Mon, Oct 24, 2011 at 6:09 PM

Subject: Failte32.org Newsletter - Shamrock Fund Update, Requests from New Arrivals for Assistance, Senior Support, DV Lottery 2013, and more....

To: Failte32 Failte32 <failte32@gmail.com>

Hi everyone

Many of you are accustomed to our email/newsletters. Some of you are seeing this for the first time. If you have no time to read our email now, please print it out and read it later.

First, we have a few announcements to make in this issue (see announcements section below) which we feel are important, so please consider supporting these fine causes.

Failte 32's featured organization for November will be the United Irish Counties Association of New York (www.uicany.org). The UICANY is the umbrella organization of all 32 county societies in New York, each of which represents one of the 32 counties of Ireland. The county societies have been the backbone of the Irish community in New York during the past century, and still play a very important role in helping our new arrivals find jobs in New York. It's current President is Michael Prunty, a great Longford man and leader in the Irish American community, having served roles including past President of the County Longford Association of New York, and past President of Division 4 of the Ancient Order of Hibernians in New York (<http://www.aoh.com/pages/divisions.html>).

If you are a graduate of one of Ireland's third level institutes, please forward us your contact details, as the New York Pan Alumni Group is planning a job support workshop/expert speaker event to be held at law offices here in New York. We will keep you posted.

The **Shamrock Fund**SM, launched last month, was recently featured in the September issue of the Coalition of Irish Immigration Centers (www.CIIC-USA.org) newsletter. We would like to thank Katie Fox, its new National Coordinator, for including us in this important issue. Katie jumped straight into her role as National Coordinator with such positive energy, by actively reaching out to everyone in the Irish community in a unifying way. We are very thankful for her support and great suggestions. The same newsletter features the Coalition's important meeting with An Tanaiste & Minister for Foreign Affairs, Mr. Eamonn Gilmore.

<http://www.failte32.org/2011/10/news-from-coalition-of-irish-immigration-centers/>

The **Shamrock Fund** SM has in its first month of operation assisted two long term visa holders by paying their membership dues to organizations such as the Irish Network-NYC (www.irishnetwork-nyc.com), Irish Business Organization (www.ibo-ny.com), and the Irish International Business Network (www.iibn.com). Below are email applications from the first two successful applicants fyi which highlight the great efforts being made by Irish visa holders in their search for employment in the U.S., and the value and great work ethic they can bring as an employee of a U.S. company.

From:
Donal O'Conghaile
oconghd@gmail.com

Message:
Dear Failte 32,

I am almost 6 months into my 12-month J visa. When I initially arrived in New York, I did all I could to network and find a job: I connected with the great Irish community there is here by going to events by the Irish Network NYC and the New York Irish Center, meeting with the Emerald Isle Immigration Center and by integrating myself with the Irish where I live, in Sunnyside (mainly by going to the many Irish pubs here). My efforts paid off and after 5 weeks I secured a paid internship for the summer.

This internship ended on August 12th so I find myself back on the job market. I have stayed connected to the New York Irish Center, where I volunteer at computer classes for senior citizens and I also assist the Center with their social networking. I have a business degree from Trinity and I'm looking for work in marketing/ digital media/ social media in the online or publishing industries.

The Shamrock fund is a brilliant idea and the timing of its launch could not be better for me. I'd love to avail of the Fund to secure membership in the Irish Network NYC and any other organisation that may be helpful for me in my search for work.

I have really settled here in the States and my ultimate goal is to be sponsored for a H1B visa so that I may stay here for longer than the 12 months.

Thank you for setting up this initiative and I hope to hear back from you soon.

Regards,
Donal O'Conghaile

My LinkedIn profile:
<http://www.linkedin.com/pub/donal-o-conghaile/15/9b0/8b4>

From:
Seamus McDaid
fbspecial@yahoo.co.uk

Message:
To whom it may concern,

I would like to apply for support from the Shamrock fund.

I moved to New York on a graduate J1 in late June. Previous to this I was working as marketing manager in our family business. However, as the opportunity to take up this visa type expired in June 2011, I left to try and gain exposure to the American sports industry.

I graduated from UCD with a 2.1 in Sport and Exercise Management in June 2010. The day after my final exam I moved to Australia where I took up the role of International Recruiting Manager with Flying Start Sports Management. Essentially I identified talented GAA players, placing them with Aussie Rules clubs in Australia; Kerry's Tommy Walsh being the best known client I managed. Furthermore, my role included looking after whatever issues they may have had. I had been lucky enough to intern with Flying Start the previous summer and they offered me a more permanent position at the end of the internship which I turned down to return and finish my studies.

Unfortunately due to events outside of my control Flying Start was sold and reformed, less their international wing, in March 2011. While disappointed at this turn of events I had already begun the application process to come to America before the company disbanded as I knew that American exposure was critical to my professional development.

Since June I have applied for numerous positions but had little success. Recently, however, things have begun to look up as I have been working at the US Open for the past two weeks. Whilst I am now finished work with the US Tennis Association, they have already asked me to return as an employee next year. I have also attended two sports careers fairs and, whilst I have received great feedback, I have had no job offers. As well as the job hunt I have volunteered at the Aisling Irish Centre where I have been helping distribute food to homeless people in the city on a Monday evening. Additionally, I have been coaching gaelic football at the St. Raymonds Club.

I really feel that I could utilize the Shamrock Fund. It would provide a door opening that I am unable to do by myself. Each time I have come in contact with a person within the industry they have been impressed by my knowledge and experience, however I have had very limited

opportunities to meet these people. The Shamrock Fund would provide greater opportunity to meet the right contacts and provide a greater chance of securing employment.

Thank you for taking the time to read this and for your continued support to the Irish community in New York.

Regards,

Seamus McDaid
9146193523

Below are recent requests for guidance from our new arrivals. We kindly ask that you please do what you can to give them some support and referrals to assist them in finding employment here in NY.

From:
Megan Maguire
megan.maguire2@mail.dcu.ie

Message:
Hi Failte 32,

I moved over from Ireland to Boston in late August and since then I have tirelessly been looking for a PR/Media related job. I am on the J1-WT Visa for one year and I need to find a full time job related to my field of study which was Media and Communications (I am open to all forms of Media jobs such as journalism and advertising). I have tried everything from Craigslist, to cold calling CEO's, to contacting HR departments and asking for people who work in the professions help. I understand that you are mainly based in New York (however if there was a possibility of work I would not think twice about moving). I was wondering do you have any advice for me? Either for Boston or New York.

Kind Regards
Megan Maguire

From:
Joseph Long
joeyclong@hotmail.com

Message:
Hi,

I have just arrived from Ireland and I just want to know if I should send you my Resume for any job openings. I am living in Yonkers and have 18 month working visa. I would truly appreciate any help to you could provide me.
Thank you very much in advance.

Warmest Regards
Joseph Long

Please see this issue's immigration article from Failte 32's immigration attorney, Caro Kinsella, which was featured in last week's Irish Examiner USA (page 12). Caro will be writing periodic articles for the Irish Examiner USA going forward.

<http://edition.pagesuite-professional.co.uk/launch.aspx?referral=other&refresh=7i1Fx0W8M51o&PBID=48aa9324-abeb-4e71-904b-9de0bf371a30&skip=>

Announcements:

1.

We received an email from Padraig Mallon CEO Irish Guide Dogs for the Blind informing us that a group of Irish in New York were holding a fundraiser for the Irish Guide Dogs for the Blind this past Sunday October 23rd in Rory Dolans in Yonkers from 6-30 PM. Unfortunately we were unable to get this Failte 32 email/newsletter out before the event, but at least we can highlight this very worthy cause. Please visit www.guidedogs.ie for more information.

2.

We received an email from a friend of 'Graan Abbey' in conjunction with an effort to get out the word about an alternative many Irish families may be interested –helping their elders to “go home again”. Margaret's parents happily lived 95 and are still going strong. Unhappily they had wanted to be in Ireland since they left in 1958, but they outlived their own folk. They both have dementia and were unhappy not having anyone to really talk to. The solution turned out to be the Graan Abbey Home in Enniskillen. They have been there for a year and a half and they are at home and content for the first time in many years. Tea is on the menu 5 times a day –and there are people to share their memories. Taking care of folk is a calling more than a job.

Margaret wanted to circulate the news because it might be a solution for many families-you can in fact take them home.

RETIRE TO IRELAND

GRAAN ABBEY IS A LUXURIOUS HOME RESTORED ON THE SITE OF A FORMER MONASTERY.
ELEVATED RURAL LOCATION, BEAUTIFUL VIEWS, 3 MILES FROM ENNISKILLEN TOWN .
ALL ENSUITE ROOMS, EXCELLENT CARE,FAMILY RUN HOME.

WE PROVIDE NURSING AND RESIDENTIAL CARE
SPECIALIST DEMENTIA CARE FACILITY
Home baking daily,Activity therapy,Daily Mass,Person centred care.

RATES: 537 STERLING PER WEEK - NURSING
428 STERLING PER WEEK -RESIDENTIAL

CALL Patricia,
Graan Abbey Nursing Home
Derrygonnelly RoadENNISKILLEN BT74 5PB
Tel: 011 44 28 66 327000
mail: graanabbey@yahoo.co.uk
web: carewellhomes.co.uk

3. DV Lottery 2013

The Emerald Isle Immigration Center (www.eiic.org) staff offer assistance with green card lottery applications
October 4th through November 5th, 2011

<http://eiic.org/immigration-information/dv-lottery/>

4.

Subject: MEDIA ALERT: Leon Fleisher Performs with Irish Chamber Orchestra Oct.31 Alice Tully Hall Lincoln Center.

<http://www.failte32.org/2011/10/subject-media-alert-leon-fleisher-performs-with-irish-chamber-orchestra-oct-31-alice-tully-hall-lincoln-center/>

Happy Halloween!!!

Kind regards

Failte 32 Committee

EXHIBIT 16

----- Forwarded message -----

From: "Failte32 Failte32" <failte32@gmail.com>

Date: Jan 21, 2012 11:49 PM

Subject: Fwd: Membership to IBO

To: "Sheila Lynott" <slynott@century-business.com>, "Seamus Mc Daid" <fbspecial@yahoo.co.uk>

Cc: "O'Toole, Karl" <kotoole@transre.com>, "Niall O'Kelly" <niall@okellydesign.com>

Hi Seamus, hope all is well. Thank you very much again for the job referral you gave us for Louise.

Sheila Lynott sent me the email below. Can you fill in the membership form and send back to Sheila (otherwise she'll kill me next time she see's me :D).

Sheila, Seamus was the first to reply to our F32 email appeal yesterday on behalf of Louise, a young lady who's J1 grace period to find a job is quickly coming to an end.

It's great that we get this type of support people like Seamus, who found it very difficult himself to find a job here in NY.

Very best
Maurice

----- Forwarded message -----

From: **Sheila V. Lynott** <slynott@century-business.com>

Date: Sat, Jan 21, 2012 at 8:21 PM

Subject: Membership to IBO

To: failte32@gmail.com

Cc: "O'Toole, Karl" <kotoole@transre.com>, Niall O'Kelly <niall@okellydesign.com>

Hi Maurice

Please find attached the check you sent in but there was no membership form completed with this.

You indicated to me that this was for a J1 person but no name or contact info provided.

I have attached the membership form for your convenience to fill out and send back to us so we can add this person to our email blast.

Thanks for signing him/her up!

Cheers

Sheila

MAURICE D LANDERS

1 GREEN STREET

APT 501

JERSEY CITY, NJ 07302

80-1136
219

38

126

DATE

12/23/11

Pay to the order of

FISH BUSINESS DEPARTMENT \$ 95.00

NINETY FIVE

MAURICE D

MAURICE D
MAURICE D

COUNTRY
BANK

902 SECOND AVENUE
NEW YORK, NY 10017

SHAW BROTHERS

MAURICE D - I received this

Maurice D

00219113690

0125

EXHIBIT 17

----- Forwarded message -----

From: "Kevin O'Keeffe" <kevin.okeeffe@umail.ucc.ie>

Date: Dec 9, 2012 2:17 PM

Subject: Re: Failte32 connecting the Irish in NYC Contact: Graduate Engineering Job in the U.S.

To: <failte32@gmail.com>

Cc:

Hi Maurice.

Thank you for this it is really encouraging to get such a warm and helpful reply. It always strikes me how friendly people are when I visit. There seems to be a very active and welcoming Irish-American community existing over there and I look forward to getting involved and giving back if possible. I will take your advice on board.

In return I would like to take this opportunity to extend my own offer of help to any Americans, particularly students, who are travelling to Ireland to study or for any other reason. We have a large number of American undergraduates studying at UCC each year (some of whom I am still friendly with and visit in the States) and if you know of anyone who needs any help or advice let me know. Many of these students come from New York. I am actively involved in the Engineering Society at UCC and I have many useful contacts in the college and in industry in Cork.

Also I am sure the college would love to speak with you about what you are doing. I can put you in touch with our career service if you like.

Finally I am attaching my CV and cover letter in case you have any inquiries about me.

All the best and go raibh mile maith agat!

Kevin

On 9 December 2012 12:33, Kevin O'Keeffe <kevin.okeeffe@umail.ucc.ie> wrote:

----- Forwarded message -----

From: **Failte32 Failte32** <failte32@gmail.com>

Date: 8 December 2012 23:57

Subject: Re: Failte32 connecting the Irish in NYC Contact: Graduate Engineering Job in the U.S.

To: kevin.okeeffe@umail.ucc.ie

Cc: Caro Kinsella <info@ckinsellalaw.com>, paddy@irishexaminerusa.com

Hi Kevin

Thank you for your email.

We have included your request in our recent Failte 32 email update. Hopefully you might receive some feedback over the coming days from those on our email list. We've also included some suggestions for you below.

Failte 32 tries to connect Irish people looking for jobs to the main Irish organizations here in NY and other areas. We launched Failte32.org in 2010 in response to the problems Irish visa holders (Summer J-1) were having finding employment in the U.S. It's a voluntary initiative set up by a few business people in NY to help work visa holders find employment in NY and the US.

Failte 32 initially set out to support Summer J-1 visa holders in their search for employment, and having been successful in doing this, we started focusing our efforts on helping longer-term visa holders (IWT J-1, H1B etc.) find employment in their field of expertise. We will of course continue to support those coming out on the Summer J-1 visa each year.

The main idea behind Failte 32 is to connect new arrivals to the main Irish organizations in NY (affiliated organizations), and to the Irish American community as a whole. It does this through the Failte32.org website, and also, quite uniquely, through the Irish Restaurant and Bar network, places where traditionally the Irish have socialized and gathered information on job opportunities. Therefore, our model is best applied when you're on the ground here in the U.S.

By connecting with our affiliated organizations through their monthly events, new arrivals can gain access to their circle of influence in the U.S. i.e. fellow Irish and potential employers. This is very important in the current economic environment as job seekers need to give themselves every chance possible of finding a job.

Failte 32 has over 23 affiliated Irish organizations that have committed to offering their support. We ask all new arrivals to browse their websites (under 'affiliations' tab on Failte32.org) and make a note of their upcoming events. By attending these events, you can potentially get in front of employers and decision makers in companies immediately, rather than just sending a resume to employers in the hope that it will be picked up by the HR dept. from amongst the hundreds they receive on a daily basis.

Failte 32 emphasizes the importance of developing your 'job network'. It's no longer sufficient to depend on applying for jobs online. One has to now proactively get out there and develop their job network. We also list the events of our affiliated organizations on the 'News/Events' section of Failte32.org, which makes it easier for you to connect with our affiliated organizations.

Some organizations that come to mind that might be able to assist you are as follows:

the United Irish Counties Association of NY and ask them to connect you with your county society (www.uicany.org Cathy Hogan catherinethogan@aol.com).

the Irish Network-NYC (www.irishnetwork-nyc.com President Anne Cosgrove ainecos2008@gmail.com),
The Irish Business Organization www.ibo-ny.com Sheila Lynott President slynott@century-business.com

the Irish Network USA www.irishnetwork-usa.com This site lists all Irish Networks in the USA.

the IABANY (email: do@imlawyers.com Domhnall O'Cathain, email: Irishlawyersny@aol.com Brian McCaffrey www.iabany.org)
Although a professional law organization, it has many friends who come from many different backgrounds/fields.

The Irish Consulate in NY. Ask them to add you to their events list, particularly those pertaining to your area of expertise mary.deady@dfa.ie. You might also want to connect with Enterprise Ireland and the person responsible for your area of expertise. www.enterprise-ireland.com
<http://www.embassypages.com/missions/embassy9575/>

Your Alumni assoc. in NY, contact Pat O'Connell pat.oconnell@conaligroup.com

The Irish Chamber of Commerce in the USA www.iccusa.org David O'Sullivan hibernia@aol.com
Of course, always contact the Irish support centers here in NY such as the Aisling Irish Community Center (www.aislingcenter.org), Emerald Isle Immigration Center (www.eiic.org) and the New York Irish Center (www.newyorkirishcenter.org) Paul Finnegan paul@newyorkirishcenter.org

These are a good start and will be able to connect you to other chemical related networks. After you arrive, you will be able to meet with members and organizers of these organizations at their monthly events, where you can connect with those in your field. But please feel free to contact these organizations prior to your arrival so that you have a head start when you arrive in the U.S. We may also be able to give you a name or two to contact after you arrive.

We provide additional support through our strategic partnerships (click on logo on 'strategic partners' page on Failte32.org). These partners were chosen on the basis that they are serious about supporting Failte 32, so please reference Failte 32 if you decide to contact their HR dept. Please also contact John Hartnett of ITLG (one of our strategic partners www.itlg.org). His email is john.hartnett@irishic.com

Please also visit the 'job search support' section on Failte32.org which redirects you to the RendezVous353.com website, one of our strategic partners and a new social and business portal for the Irish at home and abroad, often referred to as the Irish Facebook. Use the [RendezVous353](http://RendezVous353.com) platform to search contacts, organizations and employers in New York and the USA. Please also visit the 'Failte 32' and 'maurice landers' minisites on [RendezVous353](http://RendezVous353.com) (forums and blogs) which contain prior Failte 32 newsletters, tips, some job announcements, contacts, and other relevant information pertinent to your job search. Registration, which is free, is required in-order to access this mini-site.

Additionally, Failte 32 provides other services such as free classified ads in the Irish Examiner USA newspaper, and the use of PD O'Hurley's restaurants/bars in New York for free wifi and refreshments while searching for employment.

We have added your email to our newsletter which is sent out to organizations, companies, and a broad cross-section of people in the Irish American community, and will keep you up to date on our activities and activities within the Irish American community. Please send us a blurb after you arrive which we can place in the Irish Examiner USA classified section.

Please contact our immigration attorney, Caro Kinsella (cc'd on this email) as she can discuss your visa options with you.

We recently launched a new fund called the Shamrock Fund, to assist those who have been finding it difficult finding employment in the U.S. Click on the link below for further details.

<http://www.failte32.org/about-failte-32/useful-articles/failte-32-newsletter-j1ers-g%E2%80%8B%E2%80%8Bet-your-tax-refund-new-failte-32-shamrock-fund-j1ers-great-ambassador%E2%80%8Bfor-ireland-in-usa-and-more/>

Please feel free to contact me after you arrive, and we look forward to assisting you in your efforts searching for employment.

Kind regards,

Maurice Landers - Failte 32 Committee

On Thu, Nov 29, 2012 at 8:05 AM, Kevin O'Keeffe <kevin.okeeffe@umail.ucc.ie> wrote:
To: Webmaster

From:
Kevin O'Keeffe
kevin.okeeffe@umail.ucc.ie

Message:
Hi,

Firstly let me say thank you for this brilliant resource for Irish people trying to get to the United States. This has been so helpful to me.

I am a final student of Chemical Engineering at UCC. Next year I hope to work in the U.S. following my graduation in May. I want to work in the NY/NJ/CT area and so far I have found it challenging to find entry level positions to apply to in my line of work. I plan to get the 12 month J-1 visa as it seems unlikely that I will find a company to sponsor me as a foreign graduate. Please pass on my details to anyone who may have some advice or be able to help.

Once again thank you for putting this together.

Regards,

Kevin

Sent from (ip address): 46.7.248.163 (46.7.248.163)

Date/Time: November 29, 2012 1:05 pm

Coming from (referrer): <http://www.failte32.org/contact-us/contact/>

Using (user agent): Mozilla/5.0 (Windows NT 6.1; WOW64)

AppleWebKit/537.11 (KHTML, like Gecko) Chrome/23.0.1271.91

Safari/537.11

EXHIBIT 18

----- Forwarded message -----

From: "Failte32 Failte32" <failte32@gmail.com>

Date: Mar 9, 2013 6:39 PM

Subject: Failte 32 Update - Great News! Accommodation Option Available for Summer J-1's / Transportation Security Administration (TSA) Prohibited Items List Changing April 25th, and more....

To: "Failte32 Failte32" <failte32@gmail.com>

Cc:

Hi everyone

Immigration news in the United States updated daily can now be accessed by clicking on the link below:

You are invited to follow the USCIS (U.S. Citizenship and Immigration Services) news page on Facebook and keep up to date with USCIS updates and the latest immigration news.

<http://www.failte32.org/contact-us/2427-2/>

To read the most recent article from our immigration attorney, Caro Kinsella, please click on link below:

Article: TSA Prohibited Items List Changing April 25th:

<http://www.failte32.org/visa-support-services/tsa-prohibited-items-list-changing-april-25th/>

In 2010, Failte 32 started out assisting Summer J-1 visa holders from Ireland in their efforts to find employment in NY, and having been successful in doing this through its unique community based model, it extended its services later that year to include longer-term visa holders.

In 2011, Failte 32 launched the **Shamrock Fund** SM to further assist our new arrivals in their efforts to find employment, by subsidizing their annual membership to well established Irish American Business and cultural networking organizations.

Because employment eligibility and visa status are interdependent, Failte 32 extended its services still further the same year to include lobbying for a '**visa for all**' through the proposed **IRE Irish Immigration Bill**, which is being spearheaded by its immigration attorney, Caro Kinsella.

Now, in 2013, Failte 32 is delighted to announce that, after having received many requests for accommodations since our launch, one of our strategic partners, **Internship USA**, under the leadership of Tom Griffin, Program Manager, has set up this critical service for our new arrivals from Ireland.

<http://www.international-study-usa.com/accommodation.htm>

The accommodation is NOT contingent upon doing an internship through Internship USA, therefore it is open to any Irish students at all, pretty much, J-1 or not. For students coming across for a limited period of time (2-4 months or over the summer), this Residence provides them with an excellent option. It is friendly and safe. (Tom can personally vouch for it: his wife actually lived at this Student Residence for about 1 year and has good memories of the whole student atmosphere there).

Irish American Heritage & Culture Committee, Inc.

Department of Education, City of New York

Cordially invites you to its

34th Annual Brooklyn Borough Hall Reception

Honoring

Irish Man of the Year

Peter Quinn

Irish American Author and Literary Activist

Irish Woman of the Year

Kathleen Donahue

Vice President –New York State United Teachers

Irish Organization of the Year

The Emerald Guild

Michael W. Gubbins, President

Tom Cuite Award

Gary Cronin

President and Founder, Cronin Enterprises, Inc.

Friday, March 22, 2013

5:00pm to 7:30pm

Brooklyn Borough Hall

209 Joralemon Street

Brooklyn, N.Y. 11201

Please RSVP to:

Thomas V. Murphy, IAHCC Chairperson

e-Mail: retirees@uft.org

Phone: (212) 598-9576

The IAHCC is a wonderful, ad hoc organization which promotes Irish Heritage and Culture among the students and teachers of the NYC Department of Education.

The IAHCC does not receive funding from the New York City Department of Education and relies solely upon private donations.

The Mission Statement of the IAHCC is as follows:

The Irish-American Heritage& Culture Committee, Department of Education, City of New York is a not-for-profit, 501 (c)(3) organization, dedicated to promoting among our New York City public school students and teachers, the rich heritage and culture of the Irish and their enormous and varied contributions to the United States of America.

The IAHCC conducts seminars, oratory and art contests and gives recognition to outstanding Irish Americans and Irish-American organizations.

The IAHCC honors the memory of Thomas J. Cuite, Majority Leader, City Council by honoring those who exemplify his unwavering commitment to the highest standards and principles of service to others.

The UICANY would like to recognize our delegates and friends who are dedicated and enthusiastic members of the IAHCC, John and Ann Garvey and Jim and Rosemary Lombard.

Kind regards

Faile 32 Committee

EXHIBIT 19

----- Forwarded message -----

From: "Seamus Mc Daid" <fbspecial@yahoo.co.uk>

Date: Sep 6, 2013 5:57 PM

Subject: Re: Failte32.org - The final curtain for Failte 32 / The Shamrock Fund expands its mission and will use the HaloCard Project to reach donors / Article from 15 year old 'Irish and its importance'.....

To: "Failte32 Failte32" <failte32@gmail.com>

Cc:

Maurice,

Huge congratulations to you on reaching your end goal. I really appreciate all the help you gave me when I first came out and I'm proud of being able to pass your help along to others.

Best of luck with the future of the Shamrock Fund and I'm sure we'll catch up soon.

Is mise le meas,

Seamus

From: Failte32 Failte32 <failte32@gmail.com>

To: Failte32 Failte32 <failte32@gmail.com>

Sent: Friday, 6 September 2013, 17:45

Subject: Failte32.org - The final curtain for Failte 32 / The Shamrock Fund expands its mission and will use the HaloCard Project to reach donors / Article from 15 year old 'Irish and its importance'.....

Hi everyone

A.

I have attached an article in the Lucan Gazette by my 15 year old niece, Dorothy Landers (yes, I'm a little biased here) titled 'Irish and its importance'. I thought it was such a great perspective on the importance of the Irish language "Because it's what makes Ireland Irish", and since it was penned by a 15 year old, is very reassuring that our beautiful language will survive long into the future. I hope you will read it when you have time.

B.

Please visit our Resume Posts section to view resumes/CV's from our new arrivals or those considering moving to the U.S. - <http://www.failte32.org/job-openings/resume-posts/>

Below is extract from resume of Christopher Kwong, a budding entrepreneur with an impressive track record at this early stage of his career.

Awards & Achievements:

- **Duke of Edinburgh Gold award** – This is a highly recognized award which shows organization, determination and my natural ability to be proactive.
- **Rowing** - Winners Irish Championships MJ18 VIII 2010 (**unbeaten in Ireland**)
Placed 7th out of 256 in the highly prestigious "Schools' Head of the River Race" London 2010
- **Best in ICT A Level** – 2011

C. This in from Chris Nash of **Fusion Fighters** " We have been working since March on what direction we would like to go with this new fusion of percussive styles and integration of technology. We came up with the idea of creating a show that was in the theme of a computer game. To begin this we thought we would make a video as close to the vision we had, before working with someone in projection to then see how we could turn it into a live performance. I also learned all the programs to create the special effects and edit the video myself (which took a good few months).

Well anyway last Monday I launched the video to YouTube and we got a whopping 22k views in one week. The response has been really amazing and it has made us even more keen to get moving with more videos and a projection show. I'm looking forward to seeing what you think about our: 'Cutting-edge visual performance presented in the style of a motion sensor computer game'.

<http://www.youtube.com/watch?v=-VwNHCujQxE>

D.

Failte 32 has finally come to the end of it's mission "to provide social and professional support to the newest members of our Irish American community and connect them to networks in order to become established in New York"

Its mission expanded over the past 3 years from supporting Summer J-1 visa holders to supporting longer-term IWT J-1 and other visa holders in their search for employment in the U.S., and on visa matters through our immigration attorney Caro Kinsella. We also took on the role of part lobbyist for immigration reform through our proposed IRE Irish Immigration Bill, and established the **Shamrock Fund sm**. Our website service included access to frequent newsletters and updates (pertinent job info, announcements, requests for jobs from visa holders etc. which we sent to everyone in the Irish and Irish American community), a section on news/events appropriate for job networking, a visa support section, a job search and support section through RendezVous353 (and more recently our resume post section), and last but not least, a centralized point of access for job seekers to our affiliated organizations and strategic partners. Our service also included face to face meet ups, and email follow up, to give advice, tips, and contacts to job seekers and visa holders.

The plan, when discussed with Niall Burgess, the Consul General at the time, was to proactively keep the initiative going for a year or two, but due to demand, the committee decided to continue into a third year. The great thing about 'initiatives' such as Failte 32 is that they have a beginning and an end, which means that unlike more formalized entities which can go on forever and become institutionalized, 'initiatives' such as Failte 32 have a specific message to get out to the community, and a specific goal to achieve in a certain period of time, which once achieved, the initiative ends.

We now feel that we have very effectively gotten our message out to the community, have helped a lot of people on both sides of the Atlantic, and see many organizations and Irish American media reaching out further to support J-1 and other visa holders.

Not long after the launch of Failte 32 in 2010 (which garnered a lot of publicity at the time particularly under its original 'Save the Irish' banner) and its efforts to highlight and resolve the difficulties J-1 visa holders were experiencing finding employment in the U.S., a full time position was established in 2011 through the Irish International Immigration Center (IICenter) in Boston, funded in part by the Irish Govt., to find internships in various U.S. industries for those on the one year IWT J-1 visa (not affiliated with Failte 32, but we're proud to have set precedent for the launch of a Govt. funded J-1 support program shortly after our launch). Megan Carroll, who was hired for this position, assisted in successfully placing close to 300 interns from Ireland over a 2 year period - a fine contribution. Failte 32 is also proud, having been asked by the IICenter on more than one occasion to assist placing some of their very urgent J-1 cases, to have been willing and able to do so with some success. And our own immigration attorney, Caro Kinsella, has certainly over the past 2-3 years contributed in a very meaningful way to the availability and clarification of information on visa options available to immigrants, and has helped many attain legal status here in the U.S. - another fine contribution.

But prior to the metaphorical ashes of Failte 32, another important initiative was launched within the Failte 32 model back in 2011, the **Shamrock Fund sm**, to provide some financial support to help visa holders network for employment.

Going forward however, the **Shamrock Fund sm** which was just recently incorporated as a non-profit charity, will no longer provide financial support to visa holders, rather now help those who can't help themselves, the most needy in our society.

The **Shamrock Fund sm** is based on the original Shamrock Fund established back in 1916 to raise money in America for Irish servicemen who had been injured or disabled in World War I. In November 1916, the New York Times reported that Lady Kingston from Co. Roscommon had arrived in the city to set up a fund to help TB sufferers and other Irish soldiers injured or disabled in the trenches. Her appeal was directed at the Irish living in New York "who ought to be glad to do something to help their own people."

Our re-launch of the original Shamrock Fund back in 2011 has served to assist Failte 32 members, and will serve similar and expanded purposes as the original Shamrock Fund going forward.

For more info http://www.irishexaminerusa.com/mt/2011/08/09/rare_irish_wwi_poster_sold_in.html

As many of you know from our prior newsletters and updates, 100% of donations to the **Shamrock Fund sm** will be spent on the most needy. All admin. costs, expenses etc. will be paid out of pocket (not out of donations), and nobody associated with the **Shamrock Fund sm** either formally or informally will be paid a salary or remuneration of any kind out of donations. Are we the first charity to do this? We're simply following common sense on how charities should operate properly in terms of how donations should be spent. I'm sure we've all heard the saying, 'charity begins at home'. I don't remember my parents ever paying me or my siblings a salary (and certainly not an astronomical one!), bonus plus expenses when, like many Irish parents, they were instilling a sense of charity in all seven of us, and getting us to practice it. And the Oxford English dictionary defines charity as being 'voluntary' in nature.

We will still retain our lobbyist role by lobbying Congress and other Governments for changes in the way many charities and non-profits are run today. Some of these changes will include:

- A significant reduction in salary levels charities can pay their officers (at most, low five figure salary, preferably zero),
- The immediate deployment of donations for the benefit of the needy (donations not allowed accumulate on the charities balance sheet/financial statements beyond a reasonable short period of time i.e. there should be a high turnover of donations),
- Mandatory requirement to source 'barter' donations, and that the level of these 'barter' donations at least equal donations received in cash (this is a more efficient way of deploying donations i.e. take as much cash receipt out of the donation process as possible).
- Emphasis on the creation of smaller charities, but more of them, by redirecting Govt. incentives towards the creation of smaller charities. We don't need more 'too big to fail' organizations, particularly ones that are meant to be charitable. Lets protect the last bastion of social responsibility and compassion in this great country, the charitable organization, from the for-profit mindset.

The **Shamrock Fund sm** will also be using the **HaloCard Project** platform to very efficiently reach donors (more below). Most of our donations will be received through barter and the HaloCard Project.

Our sincerest thanks to all of you who gave us your kind support, and supported our young new arrivals from Ireland. We're certainly very impressed with the quality and professionalism of the young people coming over from Ireland to live and work in the U.S., and they certainly present a great opportunity for U.S. employers. This will be our last Failte 32 communication. Who knows, maybe we'll need your support again for another initiative in the future. We will however keep you up to date on progress of the **Shamrock Fund sm** from time to time. If you wish to unsubscribe, please let me know by replying to this email.

As we've said in past Failte 32 articles, **"The great thing about the Irish is that we never sought to conquer another country; rather, we left our country as either emigrants or missionaries, both very noble and honorable pursuits, and have contributed to the great reputation the Irish enjoy worldwide."**

More on HaloCard.....

Many of you will have noticed in our newsletters over the past few months our emphasis on the HaloCard Project. We decided that, before we officially ended the Failte 32 initiative, we wanted to give back to our affiliated organizations and help them achieve their goals by giving them a cost effective and efficient way to reach new donors, and possibly re-engage past donors. The HaloCard project provides an excellent platform to do this, and is founded and run by people with excellent business and community reputations.

See <http://www.halocardproject.com/our-founders.html>

Some of you have asked us how the HaloCard works i.e. how do they get the figs into the fig rolls!

How can you, a credit card holder, use your credit card (HaloCard) to give to the non-profits of your choice, including Irish and Irish American non-profits, with no out of pocket costs to you? How is this possible? How does the HaloCard generate donations for non-profits?

Well, in general, here's how they do it. It's quite unique.

The HaloCard™ Project is an initiative to revolutionize charitable giving through the development of a credit card platform that allows users to provide donations in an amount equal to 1% of their transactions to the non-profits of their choice.

The 1% that you as a cardholder donate to the non-profits of your choice comes out of the credit card merchant fee, not out of your pocket. It's as simple as that.

In particular, the 1% comes out of the portion of the merchant fee that the bank that issues the HaloCard receives. Let me explain further.

The credit card merchant fee (the fee the merchant is charged when you use your credit card, and is on average 3%) is divided among, in this case Visa (on average .75%), the credit card processor (on average .75%) and the bank that issues the credit card (on average 1.5%). Note the bank that issues the credit card gets on average 1.5% of the merchant fee.

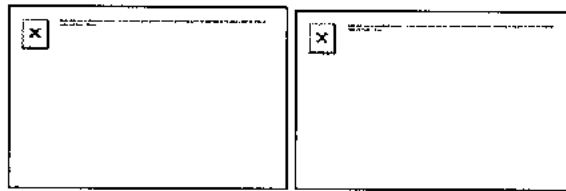
Now here's the key - HaloCard has reached agreements with community banks that issue the HaloCard (remember they get on average 1.5%) which require them to devote 1% of the amount of each transaction you the cardholder make, to the non-profit organizations of your choosing. Therefore, the bank that issues the HaloCard essentially forgoes 1% of the 1.5% it receives from the merchant fee, so that you the HaloCard card holder can donate this 1% to the non-profits of your choice.

So, although a for-profit endeavor, the HaloCard Project clearly has a serious charitable bent. You will be hard pressed to find a major bank providing this type of service. What major bank is going to give up 1% out of the 1.5% it receives from the merchant fee, so that its customers can donate this 1% to the non-profits of their choice? Not many if you ask me.

Community banks on the other hand, being more community focused, are not all about the bottom line, and they are the banks that the HaloCard Project works with. Again, the HaloCard Project working with community banks is the key!

So that's how they do it, and that's how you can be a **HaloCard philanthropist** with no out of pocket costs to you. For more information, and a graphic illustration of the above process, please click on following link:

<http://www.youtube.com/watch?v=SYepncQAhF0&feature=youtu.be>



What HaloCard™ cardholders are saying:

"I get this unusual feeling of satisfaction each time I use my HaloCard. It sounds funny, but I actually think about how much is going into my donation bucket each time I use the card"

Molly Dugan - Social Roadmap, LLC
HaloCard™ Business Cardholder

Kind regards

Failte 32 Committee

EXHIBIT 20

----- Forwarded message -----

From: "Lorna Dunlea" <lornacidunlea@gmail.com>
Date: Apr 26, 2014 6:50 AM
Subject: Re: Enquiry re signing up to e-mail list :)
To: "Failte32 Failte32" <failte32@gmail.com>
Cc:

Good Morning Maurice

Thanks very much for your reply, much appreciated

I'd be delighted if you could/would take the time to add me to The Shamrock Fund.

Very best wishes

Regards, Lorna

Sent from my iPhone

On 24 Apr 2014, at 23:02, Failte32 Failte32 <failte32@gmail.com> wrote:

Hi Lorna

Thank you for your email.

The Failte 32 initiative ended last year. The Shamrock Fund, a charitable endeavor which spun off from this initiative, is my main focus going forward.

I will add you to this list if you like.

Very best
Maurice

On Tue, Apr 22, 2014 at 12:14 PM, Lorna Dunlea <lornacidunlea@gmail.com> wrote:
Hello

Just wondering is it possible to sign up to your e-mail list.
I'm hoping to get a work permit soon to go Stateside

Many thanks

Cheers

Lorna Dunlea

EXHIBIT 21

Philanthropy Ventures, LLC
4919 E. Mineral Circle
Centennial, CO 80122

November 10, 2014

Shamrock Fund
1 Greene St. Suite 501
Jersey City, NJ 07302

To Whom it May Concern:

The Shamrock Fund, led by Maurice Landers, has been involved with Philanthropy Ventures, LLC, and its HaloCard® Visa giving platform since its inception in May, 2013. The HaloCard® giving platform allows non-profit organizations to receive donations in an amount equal to 1% of the purchases made by its supporters on the EqualityCard® Visa.

It is my understanding that Mr. Landers had the intention at that time to develop a portfolio of individuals who would use the HaloCard® Visa to generate donations for the Shamrock Fund, an organization devoted to the support of the most needy in society.

Please call me directly at 303-916-9143 if you have any questions about our company's involvement with the Shamrock Fund.

Sincerely,



Nick Lepetsos
Founder/CEO

Re: Proceeding 91218260

9/14/2015

Roberto Ledesma

Lewis & Lin, LLC

45 Main St. Suite 608

Brooklyn, NY 11231

Roberto,

Re. Interrogatory No. 28 below:

Interrogatory No. 28

Describe how Applicant “


fraudulently filed” its THE SHAMROCK FUND application, which

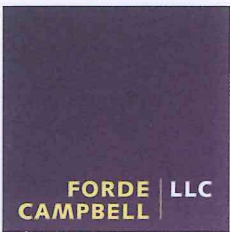
was as a Section 66(a) Madrid extension, under the current state of fraud jurisprudence at the

Trademark Trial and Appeal Board, as alleged in Paragraph 8 in Opposer’s Notice of Opposition

I would also like to reference my letter to Jonathan Irwin (emailed to him on November 24, 2014) under attached ‘To Jonathan Irwin’ which you have already received in the discovery documents I mailed to you on September 10, 2015.

Maurice D. Landers

A handwritten signature in black ink, appearing to read "Maurice D. Landers", written in a cursive style.



1-3 Lombard Street, Belfast, Co. Antrim, BT1 1RB, Northern Ireland, UK
T: +44 (0) 28 9089 7610 F: +44 (0) 28 90 232 081 E: info@fordelaw.com

www.fordelaw.com

10 February 2015

F.A.O. Mr. Darren Rimer
Rimer & Mathewson LLP
30021 Tomas, Suite 300
Rancho Santa Margarita
CA 92688

Your ref: LANDM-002M
Our ref: /MGF/JAC0010016

doc number: let02.000

WITHOUT PREJUDICE/ FOR SETTLEMENT DISCUSSIONS ONLY

Dear Sirs,

Re: Opposition of US Trademark Application, serial No. 79/107,704

We refer to your letter of 28 January 2014 and would respond as follows:-

i. PRIOR USE

We note that you maintain that your client has common law trademark rights over the text, 'SHAMROCK FUND' (with or without the 'THE') (in either case, the **Text**) in the United States on the basis that the Text was used by your client to promote a fund which (as set out in exhibit 1 of your letter) would "*subsidize (or fully pay) the membership of long-term visa holders to influential Irish American business organizations in the U.S.*" (the **Fund**) and that such use of the Text to promote the Fund pre-exists the priority date on our client's application to register the Text as a trademark in the U.S. (the **Application**, and such date, **Priority Date**). However, the exhibits to your letter, which purport to evidence this use of the Text as a trademark, simply do not substantiate this claim.

The first 3 exhibits, dated 22 August 2011, 29 August 2011 and 30 August 2011 respectively, for instance, show only an intention to launch the Fund on 1st September 2011. Exhibits 4, 6 and 7 concern the launch of the Fund, but do not provide any evidence of the Fund as an active service. Exhibit 5 is an email thread, dated 30 August - 1 September 2011, between Mr. Dermot Hartigan, an individual seeking financial assistance, your client and Mr. James Lamb. Mr. Hartigan makes no mention of the Fund in his email to your client, and Mr. Lamb makes no reference in his response. The only reference to the Fund is a cursory mention by your client at the end of his email, when he indicates his intention to launch the Fund on 1 September 2011. Exhibits 9, 11 and 12 are email correspondence between your client and our client's Mr. Jonathan Irwin in respect of each party's launch of its respective fund – again this provides no evidence of the Fund in action, or that it is intended to be a service.

Indeed the only inferences that the Fund may have actually been put to use at any point before the Priority Date by your client are in exhibits 8 and 10, in which Mr. Seamus McDaid and Mr. Donal O'Conghaile request and appear to receive assistance from the Fund in or around 7 and 14 September 2011 respectively. Again, however, it is not clear that the Fund is actually a service which is being promoted under the Text. If any goodwill has been established, this would appear to be under the 'Failte 32' brand. In any event, in both cases, the parties who appear to be utilising the Fund are based in New York. As such,

even if the TTAB were to accept that those two examples meet the required threshold to establish the existence of unregistered trademark rights in the Text based on prior use (which we dispute), any resultant rights which might be established, would necessarily be limited geographically to New York.

ii. CONTINUOUS USE

Even if your client were able to provide sufficient evidence to show prior use of the Text as a trademark in New York state or across the United States (which we doubt), the evidence provided in your letter does not clearly show that the Text has been used continuously in this way by your client since the date of first use.

The only documents that even reference the possibility that a transaction may have taken place under the Fund since the initial 'flurry' of activity in 2011, are set out in exhibits 13, 14 and 17. In each case, dating in or around 21 October 2011, 21 October 2011 and 8 December 2012 respectively, the potential applicants, in their emails make no mention of the Fund in their initial approaches to Failte 32 (your client's trading name). Indeed, as with exhibits 1 – 7, the only reference to the Fund is buried in the body of your client's responses to the individuals. There is no evidence whatsoever in each of these cases that the Fund was actually applied – or, in consequence, that the Text was actually being used to promote a service.

No evidence of use of the Text to promote a live and functioning service is provided after 2012. Exhibits 18 and 19 show nothing more than passing references to the Fund in Failte 32 newsletters. The latter of which, dated 6 September 2013, indicates that the Fund, *"will no longer provide financial support to visa holders..."* Despite this, exhibit 20, which appears to show an individual asking for financial assistance in or around 26 April 2014, has for some bizarre reason been included to indicate use of the Text as a trademark. While it is clear that a mailing list may still exist in respect of the Fund, the exhibit does nothing to evidence the actual use of the mark to promote a live service. Once again, it merely indicates your client's intention to use the Text for "a charitable endeavour".

The final exhibit – a letter from Philanthropy Ventures LLC, was drafted after the opposition against our client's Application was filed and as such is of limited value. The author indicates nothing other than the fact that an entity called The Shamrock Fund *"has been involved with Philanthropy Ventures, LLC, and its HaloCard® Visa giving platform since its inception in May 2013."* The nature or extent of its "involvement" is unclear, although the author offers his *"understanding that Mr. Landers had the intention at that time to develop a portfolio of individuals who would use the HaloCard® Visa to generate donations for the Shamrock Fund..."* – a speculative comment laden with the suggestion that the intention was never followed through.

iii. PRIORITY DATE

We note and dispute your comment that the priority date for our client's Application to register the Text has been incorrectly recorded as 14 October 2011 rather than 26 October 2011, which you claim to be the filing date of our client's application to register the Text as a trademark with the Office for Harmonization in the Internal Market (OHIM). As can be seen from the public records available on the OHIM website, the date on which our client's original application was filed was 14 October 2011. A print out of the details of the application held on the OHIM registry is attached herewith for your convenience.

iv. **THREATENED INVALIDATION OF THE MARK**

We note (and strongly refute) your claim that remarks made by our client's Mr. Irwin in an email to your client, dated 17 October 2011, may be sufficient to invalidate his declaration from 14 October 2011 in respect of the US Application. Specifically, you point to Mr. Irwin's comments that our client's *"presence in New York will be minimal..."* and that he *"doubt[s] the name will reappear as Jack and Jill is our banner. There is no intention to have a permament [sic] being in NYC."*

As you will no doubt be aware, the declaration made by an applicant for a US trademark is in relation to an intention to use the mark throughout the United States. It is not a declaration specific to use in any individual city within the US. Whether or not our client was, at the time of making the declaration, interested in using the Text within New York city is utterly irrelevant to the validity of the Application. In any event, the comments were made subsequent to the declaration and in the context of seeking (with no knowledge of the veracity of any unregistered trademark rights now claimed by your client) to maintain harmonious relations with your client.

We also note that you have abandoned any reference to your original claim that the declaration made by our client was false on the grounds (which we dispute) that our client knew at the time of filing the Application that your client was claiming trademark rights in respect of the Text for charitable fundraising services. We take it therefore that your client now acknowledges that our client's selection of the Text came about independently of your client and in fact prior to your client's alleged use of the same.

CONCLUSION

On the basis of the information provided to date, we will be advising our client that your client's opposition to the Application is highly unlikely to be successful. If your client is unwilling or unable to propose any reasonable terms of settlement between the parties within the next **7 days**, we will be recommending that our client file a Reply to the opposition forthwith. In the meantime, we reserve all of our client's rights.

We look forward to hearing from you.

Yours faithfully,



FORDE CAMPBELL LLC

Enc.

[Expand all sections](#) | [Collapse all sections](#)

☐ Trade mark



The Shamrock Fund

Application number	010342889
Application language	en
Application date	2011-10-14
Second language	fr
Application reference	JAC001-15
Trade mark office	OHIM - OHIM
Registration office	EM
Receiving office number	E62726557
Registration date	2012-03-16
Receiving office date	2011-10-14
Expiry date	2021-10-14
Trade mark type	Word
Kind of mark	Individual
Nice classification	36
Current trade mark status	Registered
Status date	2012-03-21
Opposition period start date	2011-12-08
Opposition period end date	2012-03-08
Acquired distinctiveness	false



☐ List of goods and services

Classification version

Mark standard character

☐ EN

Nice class number 36

List of goods and services Charitable fund raising services; philanthropic and charitable monetary services relating to making grants in the field of health care; organisation of fundraising activities and events for health care.

▼ [Translate](#)

Service provided by [TMclass](#)

☐ Owner

Applicant identifier	905976
Organization name	JACK AND JILL FOUNDATION LIMITED
Applicant legal entity	Legal Entity
Applicant nationality code	IE
Applicant incorporation country code	IE
Address country	IE
Street	Johnstown Manor
City	Johnstown, Naas,
State	Conty Kildare

☐ Representative

Representative identifier	44914
Name	FORDE CAM PBELL LLC
Legal entity	Legal Person
Representative kind	Association
Representative nationality code	GB
Representative incorporation country code	GB
tm.details.label.template.paintRepresentative.RepresentativeIncorporationState.key	Northern Ire land
Address country	GB
Street	26 English S treet
City	Downpatrick , Co. Down,
State	Northern Ire land
Postcode	BT30 6AB
Phone	00 44-8450 361133
Fax	00 44-2844 619154
Email	info@fordela w.com

☐ Correspondence address

☐ **Seniority**

No entry for application number EM5000000010342889

☐ **Exhibition priority**

No entry for application number EM5000000010342889

☐ **Priority**

No entry for application number EM5000000010342889

☐ **International registration transformation**

No entry for application number EM5000000010342889

☐ **Publication**

Publication number	Publication section	Publication date	Publication page
2011/232	A.1	2011-12-08	0
2012/055	C.3.6	2012-03-20	0
2012/056	B.1	2012-03-21	0
2012/135	C.2.1	2012-07-18	0

☐ **Opposition**

No entry for application number EM5000000010342889

☐ **Recordals****Trade mark events**

Event date	Event description
2011-10-14T06:40:40	T_EXA_PROV_FIL_DATE
2011-10-14T06:40:34	T_EXA_MOD_DOSSIER_MILESTONE
2011-10-14T06:40:49	T_EXA_COM_SEARCH
2011-11-14T07:47:21	T_EXA_FEES_FIN_CHECK
2011-12-06T02:10:28	T_EXA_MOD_DOSSIER_MILESTONE
2012-03-22T10:32:13	T_EXA_REG_CERT
2011-10-19T10:58:43	T_EXA_LANG_CHECK
2011-10-14T06:40:27	T_EXA_KEY_IN
2011-10-19T12:53:35	T_EXA_CLASSIFICATION
2011-11-14T07:47:16	T_EXA_VALID_BASIC_FEE
2011-12-08T05:04:08	T_EXA_PUBL_A1
2012-03-16T08:49:34	T_EXA_REGISTRATION
2011-12-08T05:04:11	T_EXA_MOD_DOSSIER_MILESTONE
2012-03-16T08:40:21	T_EXA_MOD_DOSSIER_MILESTONE
2012-03-21T04:41:43	T_EXA_PUBB1
2012-03-21T04:41:44	T_EXA_MOD_DOSSIER_MILESTONE

2012-03-16T08:31:16	T_EXA_REGRESSION
2011-10-14T06:40:43	T_EXA_FORM
2011-10-25T11:32:47	T_EXA_ABS_GROUNDS
2011-12-06T02:10:26	T_EXA_REQ_TRANS

☐ 006353661

Kind of record	Trade mark - International trade marks
Record identifier	006353661
Record reference	C.3.6
Publication date	2012-03-20
Record status	Published
Record status date	2012-03-20

Original proprietor details

Applicant identifier	905976
Organization name	JACK AND JILL FOUNDATION LIMITED
Applicant legal entity	Legal Entity
Applicant nationality code	IE
Applicant incorporation country code	IE
Address country	IE
Street	Johnstown Manor
City	Johnstown, Naas,
State	Conty Kildare

Claimant details

Applicant identifier	905976
Organization name	JACK AND JILL FOUNDATION LIMITED
Applicant legal entity	Legal Entity
Applicant nationality code	IE
Applicant incorporation country code	IE
Address country	IE
Street	Johnstown Manor

City Johnstown, Naas,
State Conty Kildare

006639044

Kind of record Representative - Change of name and professional address
Record identifier 006639044
Record reference C.2.1
Publication date 2012-07-18
Record status Published
Record status date 2012-07-18

Representative details

Representative identifier

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m☐ **Cancellation**

No entry for application number EM500000010342889

☐ **Appeals**

No entry for application number EM500000010342889

☐ **Renewals**

No entry for application number EM500000010342889

From: Jonathan Irwin <Jonathan@JackAndJill.ie>
To: mauricelanders@yahoo.com
Cc: [REDACTED]
Sent: Monday, October 17, 2011 5:06 AM
Subject: Shamrock

Dear Maurice,

I got a signal via the Ireland Fund last week about Failte 32 & Shamrock Fund. To fill you in quickly we applied for the name on a worldwide basis in the Charitable Section some months ago after searches showed there were no other organisations with a similar name(which surprised us). Since that time our solicitors have received no objections. From my conversations last week I understood that you were about to apply for the name to be registered in New York State only. We are using the name solely as an addition to The Jack and Jill Childrens Foundation to make the Irish Diaspora aware of the lack of funding and services for fragile babies provided by the State here in Ireland.

The last thing on our minds would be to discommode you in your efforts by causing any confusion for you. Our prescence in New York will be minimal ,unless we have another reception such as the one on 24th in Lily O'Briens I doubt the name will reappear as Jack and Jill is our banner. There is no intention to have a permanent being in NYC.

Kindest regards,

Jonathan

Jonathan Irwin
C.E.O.

Text Campaign. Text the word "PINT" to 57034. Cost €5 (Cost of a pint) Our children receive €4.95. Sláinte!

Help us today to raise funds by donating your old mobile phone, printer cartridges and computer equipment!

**FREEPOST ADDRESS @ THE JACK AND JILL MOBILE APPEAL, FREEPOST,
RATOATH ROAD, FINGLAS, DUBLIN 11 - 1850 52 55 45**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE
THE TRADEMARK TRIAL AND APPEAL BOARD

Maurice D. Landers,
Opposer,
v. Jack and Jill Foundation Limited,
Applicant.

Opposition No. 91218260
Mark: THE SHAMROCK FUND
Application Ser. No. 79107704

OPPOSER'S FIRST SET OF DOCUMENT REQUESTS TO APPLICANT

Pursuant to Rule 34, Federal Rules of Civil Procedure, and Section 2.120 of the Trademark Rules of Practice of the United States Patent and Trademark Office, Opposer Maurice D. Landers, ("Opposer"), representing itself, hereby propounds the following document requests to be answered by Applicant, Jack and Jill Foundation Limited ("Applicant"), by serving written responses and responsive documents and things to Maurice D. Landers, 30-80 33rd St., Fl. 3, Astoria, NY 11102, within thirty (30) days of the date of service, pursuant to the included instructions and definitions. These requests are continuing in nature, and impose upon Applicant the obligations as stated in Rule 26(e) of the Federal Rules of Civil Procedure.

DEFINITIONS AND INSTRUCTIONS

The definitions and instructions contained in Opposer's First Set of Interrogatories to Applicant (the "Interrogatories") are incorporated herein by reference.

With respect to any document requested below for which a claim of privilege or work product is made, indicate the nature of the document; identify by name, address, title and business affiliation, the writer, the addressee and all recipients thereof; and set forth the general subject matter to which the document relates, and its date.

GENERAL INSTRUCTIONS

The following instructions are to be used with respect to each request contained herein:

1. Each person responding to the document requests is required to furnish responsive documents within that person's possession, custody, or control, or within the possession, custody, or control of his attorneys, agents, representatives, or employees.
2. Each response shall be made based upon your entire knowledge, acquired with due diligence and available from all sources, including all information in your possession or that of your agents, representatives, or attorneys.

3.If you cannot respond to the request in full after exercising the due diligence to secure the documents and things necessary to do so, please set forth your efforts to ascertain the requested documents and things, and respond to the extent possible.

4.If you qualify a response in any manner, please set forth the exact nature and extent of the qualification.

5.Wherever it is reasonably practical, please produce documents in such a manner as will facilitate their identification with the particular request or category of requests to which they are responsive, pursuant to the provisions of Fed. R. Civ. P. 34(b).

6.With respect to any document requested below for which a claim of privilege or work product is made, indicate the nature of the document; identify by name, address, title and business affiliation, the writer, the addressee and all recipients thereof; and set forth the general subject matter to which the document relates, and its date.

REQUESTS

Document Request No. 1

All documents from which Applicant obtained information to answer Opposer's First Set of Interrogatories.

Document Request No. 2

All documents and things on which Applicant intends to rely upon in connection with the allegations set forth in Opposer's Notice of Opposition.

Document Request No. 3

All documents and things relating to Applicant's priority to THE SHAMROCK FUND mark in U.S. commerce.

Document Request No. 4

All documents and things demonstrating that Applicant is authorized to render charitable fundraising services in the U.S. at least since October 26, 2011.

Document Request No. 5

All documents and things demonstrating that Applicant operates fundraising services in U.S. commerce at least since October 26, 2011.

Document Request No. 6

All documents and things relating to Applicant's alleged first use of THE SHAMROCK FUND mark in each U.S. state in which it operates and/or renders services.

Document Request No. 7

All documents and things relating to use of THE SHAMROCK FUND mark from October 26, 2011 to the present, including but not limited to specimens of use, advertisements, business filings, tax filings, etc.

Document Request No. 8

All documents and things concerning any disputes, including, but not limited to, lawsuits, oppositions, written objections, or threatened litigations, concerning the use, application, or registration of THE SHAMROCK FUND mark.

Document Request No. 9

All documents and things concerning any agreements, licensors, licensees or licenses regarding the use of THE SHAMROCK FUND mark.

Document Request No. 10

Representative samples of marketing and promotional materials since October 26, 2011, including, without limitation, brochures, advertisements, pamphlets, manuals and any other promotional materials, upon which THE SHAMROCK FUND mark appears.

Document Request No. 11

Documents sufficient to identify the total cost of advertising, marketing, or promotion of Services offered by Applicant under THE SHAMROCK FUND mark.

Document Request No. 12

All documents and things demonstrating all charitable contributions and donations received by Applicant from October 26, 2011 to the present for fundraising Services in U.S. commerce.

Document Request No. 13

Documents sufficient to identify the trade channels used by Applicant in connection with the offering and rendering of Services under THE SHAMROCK FUND mark.

Document Request No. 14

Documents sufficient to identify any trademark searches, including but not limited to a search report, for Applicant's adoption and alleged use of its THE SHAMROCK FUND mark.

Document Request No. 15

Documents sufficient to identify the geographic scope of the consumer base to which Applicant markets and offers Services under THE SHAMROCK FUND mark.

Document Request No. 16

All documents and things concerning Applicant's plans, if any, to expand use of THE SHAMROCK FUND mark.

Document Request No. 17

All documents and things evidencing that there have been no periods of non-use or abandonment of THE SHAMROCK FUND mark from October 26, 2011 to the present.

Document Request No. 18

All documents and things Applicant intends to reference, present, or otherwise rely upon at trial.

Document Request No. 19

All documents and things supporting Applicant's date of first use of it's the SHAMROCK FUND mark in the U.S.

Document Request No. 20

All documents and things demonstrating that Applicant has continuously used a THE SHAMROCK FUND mark in U.S. commerce from October 26, 2011 to present.

Document Request No. 21

All documents and things relating to any organizations that have received charitable contributions on behalf of donations received by Applicant for its fundraising Services under THE SHAMROCK FUND mark.

Document Request No. 22

All documents and things relating to Applicant's authorization to solicit and offer charitable fundraising services in the U.S. under THE SHAMROCK FUND mark, including but not limited to any state registrations and licenses.

Document Request No. 23

All documents and things, including but not limited to, financial reports and IRS filings,

evidencing Applicant's fundraising activities under THE SHAMROCK FUND mark.

Document Request No. 24

Documents sufficient to identify all charities and non-profits that have received contributions and/or donations as a result of Services rendered by Applicant under THE SHAMROCK FUND mark.

Date: December 9, 2015 By: /Maurice D Landers/
30-80 33rd St., 3rd Fl.
Astoria, NY 11102

Representing itself

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served upon Applicant this 9th day of December, 2015, by mailing a copy thereof via first-class mail, postage pre-paid, to Roberto Ledesma, Lewis & Lin LLC, 45 main Street, Suite 608, Brooklyn, NY 11201-8200.

_____/Maurice D Landers/____

Maurice D Landers

From: H. Maxwell <max_ny_us@yahoo.com>
To: Maurice Landers <mauricelanders@yahoo.com>
Sent: Thursday, September 1, 2011 11:04 PM
Subject: Fw: Shamrock Fund Launched - Applications Now Being Accepted From Those In New York On J-1 IWT Program

Can I send this to Emma of Griffith College and is the American Alumni on board Thanks
Howard

From: Failte32 Failte32 <failte32@gmail.com>;
To: <marybeggan@aol.com>; <eamonn2064@gmail.com>;
<joemcmanus@boardwalkpropertygroup.com>; <mngnyc@aol.com>; <pdohurley@aol.com>;
<IrishLawyersNY@aol.com>; <gdoyle5@nyc.rr.com>; <pauline@irishartscenter.org>;
<siobhand@eiic.org>; <april@irishvoice.com>; <gerry.murphy@enterprise-ireland.com>;
<orla@aislingcenter.org>; <info@ciic-usa.org>; <vargo@us-irelandalliance.org>;
<maeodriscoll@aol.com>; <aine@irishradio.net>; <lally.lally@verizon.net>;
<jdc1916@aol.com>; <patriciaoreilly@outofirelandtv.com>; <Lorraine.Christian@dfa.ie>;
<greg@paddedwagon.com>; <tammy@letitshineinc.com>; <sllyott@century-business.com>;
<jfavila@optonline.net>; <bmcnamara@irelandhsp.com>; <hbeirne@hotmail.com>;
<chairman@nyc-st-patrick-day-parade.org>; <frankmcgreal@yahoo.com>;
<alan.farrelly@dfa.ie>; <Niall.Burgess@dfa.ie>; <kroppyboy@aol.com>;
<dandennehy@hotmail.com>; <rohanlon@irishecho.com>; <ebrendand1234@aol.com>;
<michelleflahive@gmail.com>; <paul@newyorkirishcenter.org>; <irishlanguage@gmail.com>;
<friedaklotz@googlemail.com>; <lturner@nibureau.com>; <mcmahonnaomi@hotmail.com>;
<pat.oconnell@conallgroup.com>; <tim.roche@enterprise-ireland.com>;
<ainecos2008@gmail.com>; <niallOLEARY@ireland.com>; <paddy@irishexaminerusa.com>;
<NRolf@council.nyc.gov>; <toddspr@yahoo.com>; <Laurence.McCarthy@shu.edu>;
<AMULLEN@Corcoran.com>; <ryagarry@gmail.com>; <beglin97@verizon.net>;
<newyorkminorboardgaa@yahoo.com>; <cusickm@assembly.state.ny.us>;
<irelandcalls@yahoo.com>; <grobes@assembly.state.ny.us>; <jimemsa@nyc.rr.com>;
<paul@publicachievement.com>; <ecmag7@aol.com>; <tombeirne4@hotmail.com>;
<fitzpatrick.brian@rocketmail.com>; <lizken01@msn.com>; <gallagherbarrett@aol.com>;
<boyntonburkes@yahoo.com>; <bgandersson@records.nyc.gov>;
<attorneymikemccabe@yahoo.com>; <colman@fonepool.com>; <Alice.OSullivan@rte.ie>;
<Brendan.OCaollai@dfa.ie>; <bburke@countrybnk.com>; <ametcalf@tourismireland.com>;
<omalleylaw@aol.com>; <garret@hkhotels.com>; <michaeljsmoran@gmail.com>;
<seancorbett1990@hotmail.com>; <k.flynncent@gmail.com>; <ldnessa@hotmail.com>;
<joe.tallon@gmail.com>; <sheila180689@hotmail.com>; <paulinemarieduggan@live.com>;
<sharonon22@yahoo.ie>; <tobrien718@gmail.com>; <s.wynne2@nuigalway.ie>;
<diarmuid.fullerton@studentncirl.ie>; <k.mcmanus4@nuigalway.ie>;
<ciaranmceallaigh@hotmail.com>; <gavohanlon@gmail.com>;
<johnpaul.costello@gmail.com>; <paddykjnr@gmail.com>; <katrinadickson@hotmail.com>;
<mhaincoulter@yahoo.co.uk>; <johnmcdonnell21079118@gmail.com>;
<ciaranmurphy18@hotmail.com>; <clairefergus93@hotmail.com>;

<juliekavanagh6@hotmail.com>; <eileenomahoney@yahoo.com>; <cdeignan@hotmail.com>;
<emberoland@gmail.com>; <nathanbuckley01@itnet.ie>; <sarahmoran19@gmail.com>;
<fi.c@hotmail.com>; <niallmoo2@hotmail.com>; <niall.omaonaigh2@mail.dcu.ie>;
<amcostel@tcd.ie>; <darrenop@gmail.com>; <msjennifercondon@hotmail.com>;
<poulboycurtin@hotmail.com>; <suzigubbins12@hotmail.com>; <kieranmg@live.com>;
<killianmcnally1@hotmail.com>; <chrisblockley360@hotmail.com>;
<micheladoyle@gmail.com>; <ljsmacaulay@gmail.com>; <mmcgloin@allcapcorp.com>;
<michael.cuddihy0@hotmail.com>; <sineado72@yahoo.com>; <44@live.com>;
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<rossldillon@gmail.com>; <shanenolan2@gmail.com>; <sean.keane23@mail.dcu.ie>;
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Subject: Shamrock Fund Launched - Applications Now Being Accepted From Those In New

York On J-1 IWT Program

Sent: Fri, Sep 2, 2011 12:28:06 AM

Hi everyone

We have now launched the **Shamrock Fund** SM to support longer-term J-1 visa holders who may be finding it difficult finding employment in the U.S., which is totally understandable in the current economic environment. The Fund will subsidize (or fully pay) the membership of IWT J-1 visa holders to influential Irish American business and cultural organizations in the U.S. Generally speaking, criteria for eligibility will depend on how long one has been seeking employment in the U.S., and a commitment from them to make full use of their membership by attending all of the organization's events, and proactively networking and volunteering for committees.

We thank those of you who have contributed to establishing this Fund which will have ZERO administrative costs i.e. the Fund will have no paid employees, hence all of your hard earned donations will be fully allocated to supporting those in need. However, at least initially, donations will not be solicited from the general population (inc. those of you on this mailing list) as we believe everyone has enough on their plates as it is, rather donations will be accepted on a discretionary basis from potential funders that we have relationships with. Overtime, we plan to expand the purpose of the Fund to include supporting other worthy causes, while always keeping administrative costs at zero.

We have to make sure that we support our next generation of business leaders by ensuring that our graduates gain valuable experience here in the U.S. which they can then bring back to Ireland to help put it back on track again as one of the most successful economies in Europe. We would like to sincerely thank the following business organizations in New York for supporting Failte 32 and the Shamrock Fund by offering us a special membership rate:

Irish Business Organization - www.IBO-NY.com

Irish International Business Network - www.IIBN.com,

Irish Network-NYC - www.IrishNetwork-NYC.com,

Irish Technology Leadership Group - www.ITLG.org,

By reducing the membership rate we pay, the above organizations, aside from the great networking for employment opportunities they provide, can help us serve more eligible candidates, and possibly pay their annual dues to more than one business or cultural organization.

Applications are currently being accepted from IWT J-1 visa holders in the New York area with Science, Engineering, Arts/History and Law qualifications. We are now asking all of you, particularly J-1 sponsors and support organizations, to spread the word. Please have them submit their request via the contact section on www.failte32.org, and indicate how long they have been seeking employment in the U.S., their field of study, and how they plan to utilize their membership. We will match suitable candidates with well established organizations in New York, such as those above, that can put them in front of potential employers.

We will begin reviewing applications this month, and will start placing eligible candidates in appropriate organizations towards the end of September.

As the Taoiseach (Irish Prime Minister), Mr. Enda Kenny, T.D., was recently quoted as saying in a speech he made at a Galway Chamber business luncheon back in Ireland "**We all need to pull together, we have a lot to offer and a lot going for ourselves**".

Kind regards

Failte 32 Committee





Failte32 Failte32 <failte32@gmail.com> 10/9/11

to Donal

Hi Donal, Good to hear from you. Glad you're making progress.

Are you getting any remuneration for your work on the two websites? Expenses?

The IIBN and Irish Network are aware that J1'ers like yourself are willing to get involved on committees, and be actively involved in the organization. Have they put you on any committees? Committees are the best way to make deeper relationships than if you were to only attend events. These organizations are crying out for assistance, so make sure you push to have yourself put on one. You'll be surprised how willing other committee members will be to connect you with their network and contacts, and get you close to finding a job.

We can then consider membership with the IBO depending on how you get on. Remember, the IBO hosts networking breakfasts every month. You should definitely attend these breakfasts as they get down to serious intros and networking, and sometimes are better than their signature events at making contacts and intros. You don't have to be a member to attend. They don't cost that much, and full Irish breakfast is included, so it's worth the investment in the meantime. Please let me know how you get on.

Many thanks

Maurice

p.s. did you get to meet the speaker at the last IIBN event?

On Sun, Oct 9, 2011 at 6:55 PM, Donal O'Conghaile <oconghd@gmail.com> wrote:
Hi Maurice, how are you?

Just to update you on what I'm doing these days. I'm working two internships at two different websites doing online marketing/ social media. I'm building up more great experience but still on the lookout for a full-time job. I'm really hoping to work through the Irish community to secure a full-time job and H1B visa sponsorship.

Would you recommend me getting involved with the IBO? I have a fellow-J1 friend who recently got a job through the IBO so I thought it could be useful for me to get involved. I don't know why I didn't request it earlier when I signed up with the Shamrock Fund.

I've really been enjoying getting involved in the IIBN and Irish Network, so thank you again for

everything you've done for me. However, I went to an Irish Network event a couple of weeks ago and no one seemed to know who I was - maybe I just wasn't talking to the right people.

Hope you're doing well,

Donal O'Conghaile

On Wed, Sep 7, 2011 at 5:44 PM, Donal O'Conghaile <oconghd@gmail.com> wrote:
Great thanks. Talk to you then!

On Wed, Sep 7, 2011 at 5:43 PM, Failte32 Failte32 <failte32@gmail.com> wrote:
Yes, I have informed them that you will be attending.

Best
Maurice

On Wed, Sep 7, 2011 at 5:40 PM, Donal O'Conghaile <oconghd@gmail.com> wrote:
Thanks Maurice.

So am I officially a member of the IIBN and will I be allowed in at the door?

Best,
Donal

On Wed, Sep 7, 2011 at 5:33 PM, Failte32 Failte32 <failte32@gmail.com> wrote:
Hi Donal

Details of the event are below:

http://www.iibn.com/newyork/events?event_id=14

See you there.

Best
Maurice

On Wed, Sep 7, 2011 at 11:47 AM, Donal O'Conghaile <oconghd@gmail.com> wrote:
Hi Maurice,

Thank you for your email and for including me in the Shamrock fund. This will be great in helping me to connect with the Irish community in New York and to hopefully further my career. Can you send me details of the event on Thursday that you mentioned?

And I will keep Caro in mind for the visa. Visas and sponsorship in the U.S. is a complicated affair so thank you very much for that contact.

Regards,
Donal

On Tue, Sep 6, 2011 at 7:23 PM, Failte32 Failte32 <failte32@gmail.com> wrote:
Hi Donal

Sorry for the delay in getting back to you. Congrats on your great work in the Irish community. Yes, we will gladly pay your membership to the IN-NYC and the IIBN. The IIBN have an event on Thursday so it would be a good opportunity for you to meet some great business people. The organization is very well run and has some great people behind it. Both organizations should get back in touch with you to confirm membership.

I have also cc'd our immigration attorney, Caro Kinsella, who might have some ideas for you on the visa side of things.

Hopefully I'll get to meet you Thursday, where we can chat more.

Best
Maurice

On Thu, Sep 1, 2011 at 10:45 PM, Donal O'Conghaile <oconghd@gmail.com> wrote:
To: Webmaster

From:
Donal O'Conghaile
oconghd@gmail.com

Message:
Dear Failte 32,

I am almost 6 months into my 12-month J visa. When I initially arrived in New York, I did all I could to network and find a job: I connected with the great Irish community there is here by going to events by the Irish Network NYC and the New York Irish Center, meeting with the Emerald Isle Immigration Center and by integrating myself with the Irish where I live, in Sunnyside (mainly by going to the many Irish pubs here). My efforts paid off and after 5 weeks I secured a paid internship for the summer.

This internship ended on August 12th so I find myself back on the job market. I have stayed connected to the New York Irish Center, where I volunteer at computer classes for senior citizens and I also assist the Center with their social networking. I have a business degree from Trinity and I'm looking for work in marketing/ digital media/ social media in the online or publishing industries.

The Shamrock fund is a brilliant idea and the timing of its launch could not be better for me. I'd love to avail of the Fund to secure membership in the Irish Network NYC and any other organisation that may be helpful for me in my search for work.

I have really settled here in the States and my ultimate goal is to be sponsored for a H1B visa so that I may stay here for longer than the 12 months.

Thank you for setting up this initiative and I hope to hear back from you soon.

Regards,
Donal O'Conghaile

My Linkedin profile:
<http://www.linkedin.com/pub/donal-o-conghaile/15/9b0/8b4>

Failte32 Failte32

To

Maurice Landers

Sep 5 at 11:47 PM

----- Forwarded message -----

From: "Failte32 Failte32" <failte32@gmail.com>

Date: Sep 2, 2011 10:59 AM

Subject: Re: Shamrock Fund Launched - Applications Now Being Accepted From Those In New York On J-1 IWT Program

To: "McCabe, Tara" <Tara.Mccabe@morganstanleysmithbarney.com>

Cc:

Hi Tara, thank you very much for this. It's very kind of you. Every amount helps. I will get back to you once we review candidates. I suppose the easiest would be for you to pay directly to IN-NYC and mention who it's on behalf of. I will send you those details shortly.

Many thanks again, and have a great Labor Day.

Best

Maurice

On Fri, Sep 2, 2011 at 9:17 AM, McCabe, Tara

<Tara.Mccabe@morganstanleysmithbarney.com> wrote:

Hi Maurice,

Hope you've had a nice summer. I'll make a \$50 donation (or equivalent of year of IN-NYC) membership. Realize it's a small amount, but hopefully if such 'virtual sponsorships' take off, the effort could have good impact for recipients as they explore new networks and opportunities. Let me know where/how best to send.

Best regards,

Tara

From: Failte32 Failte32 [mailto:failte32@gmail.com]

Sent: Thursday, September 01, 2011 8:28 PM

To: marybeggan@aol.com; eamonn2064@gmail.com; joemcmanus@boardwalkpropertygroup.com; mngnyc@aol.com; pdohurley@aol.com; IrishLawyersNY@aol.com; gdoyle5@nyc.rr.com; pauline@irishartscenter.org; siobhand@eiic.org; april@irishvoice.com; gerry.murphy@enterprise-ireland.com; orla@aislingcenter.org; info@ciic-usa.org; vargo@us-irelandalliance.org; maeodriscoll@aol.com; aine@irishradio.net; lally.lally@verizon.net; jdc1916@aol.com;

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omalleylaw@aol.com; garret@hkhotels.com; michaelismoran@gmail.com; seancorbett1990@hotmail.com;
k.flynncent@gmail.com; ldnessa@hotmail.com; joe.tallon@gmail.com; sheila180689@hotmail.com;
paulinemarieduggan@live.com; sharonon22@yahoo.ie; tobrien718@gmail.com; s.wynne2@nuigalway.ie;
diarmuid.fullerton@studentncirl.ie; k.mcmanus4@nuigalway.ie; ciaranmceallaigh@hotmail.com;
gavohanlon@gmail.com; johnpaul.costello@gmail.com; paddykjr@gmail.com;
katrinadickson@hotmail.com; mhaincoulter@yahoo.co.uk; johnmcdonnell21079118@gmail.com;
ciaranmurphy18@hotmail.com; clairefergus93@hotmail.com; juliekavanagh6@hotmail.com;
eileenomahoney@yahoo.com; cdeignan@hotmail.com; emerboland@gmail.com;
nathanbuckley01@itnet.ie; sarahmoran19@gmail.com; fi.c@hotmail.com; niallmoo2@hotmail.com;
niall.omaonaigh2@mail.dcu.ie; amcostel@tcd.ie; darrenop@gmail.com; msjennifercondon@hotmail.com;
poulboycurtin@hotmail.com; suzigubbins12@hotmail.com; kieranmg@live.com;
killianmcnally1@hotmail.com; chrisblockley360@hotmail.com; micheladoyle@gmail.com;
ljsmacaulay@gmail.com; mmcgloin@allcapcorp.com; michael.cuddihy0@hotmail.com;
sineado72@yahoo.com; 44@live.com; esdoyle88@gmail.com; carla_kelly962@hotmail.com;
m.nee3@nuigalway.ie; jenob89@yahoo.ie; cmcswin@yahoo.co.uk; davidkennedy@live.ie;
brianjbowler@gmail.com; conor.yorke@ucdconnect.ie; robert.kirwan@ucdconnect.ie;
alannah21@msn.com; evie.alkin@ucdconnect.ie; jonodoon@gmail.com; oisin-ramone@hotmail.com;
brian01morrissey@hotmail.com; noah@bruun.net; tincash@eircom.net; afordie2000@yahoo.com;
waaschwaa@hotmail.com; emmaculhane89@gmail.com; lou3889@hotmail.com;
doyle_aoife@yahoo.co.uk; stephenbyrne86@gmail.com; cassandra.lorraine@gmail.com;
catherinervan90@gmail.com; simongerrardobrien@yahoo.ie; cormac.mccabe@gmail.com;
nicholakehoe@gmail.com; doylecartoons@gmail.com; rossldillon@gmail.com; shanenolan2@gmail.com;
sean.keane23@mail.dcu.ie; lisab_xx@hotmail.com; sinead.murphy@gmail.com;
orlanugent1@yahoo.co.uk; jgallagher32@qub.ac.uk; lbs13@hotmail.com; mjalambe@verizon.net;
jacd821@hotmail.com; JGarvey386@aol.com; mornyc@yahoo.com;
madeleine.conlon@cliffordchance.com; maeve.omalley@enterprise-ireland.com; mchaleseven@aol.com;
mike.dunphy@att.net; bill@accordcontracting.com; basil.conroy@bnymellon.com; dave@ducecc.com;
david@liffeyvan.com; david.healy@dfa.ie; dbrennan@bear.com; David.Brennan@jpmorgan.com;
dorismeyer@aol.com; annastagnes@aol.com; austin.gormley@dfa.ie; brian@milestonemanagement.ie;
wdcobert@gmail.com; CMurphy@countrybnk.com; caragorey@hotmail.com; clobowyer@aol.com;
emermkelly@hotmail.com; eddonohue@optimum.net; eaton.catherine@gmail.com; farrelly@fordham.edu;
fcahill@gmail.com; Goldstein, Stanley [SECURITY MUTUAL LIFE]; glittercaroline@yahoo.com;
tjchealy102000@aol.com; mhannigan@law.fordham.edu; mhourican@selfhelpafrica.org; Maxwell,
Howard (hmaxwell@ambac.com); hughor@optonline.net; hartypatricia@aol.com; isabelleoc@yahoo.com;
higginsbrid@aol.com; mckennapcfix@rocketmail.com; says.hou@yahoo.com; bridgetdolan@yahoo.com;
margaretconnor@yahoo.com; jdallaire@maidpro.com; jpcpt21@yahoo.com; jmurphyjr@countrybnk.com;

jimgarrity@earthlink.net; JamesRice@NYJuris.com; K.Kelly@ucc.ie; brian.lawler@hotmail.com; langans@earthlink.net; mary@papillionbistro.com; Miriam.Nyhan@EUI.eu; nassy88@optonline.net; pmcgettrick@shawmut.com; rdolan@hotmail.com; roscommonmike@optonline.net; sheilamackessy@hotmail.com; seamusohseamus@yahoo.com; sales@liffeyvan.com; tom.kennedy@kennedycc.com; togrady@lincolncenter.org; McCabe, Tara; wmbroderick@verizon.net; westsuper@aol.com; bbarry@irishbusinesssolutions.net; debra@cultureshockmarketing.com; noel.kilkenny@dfa.ie; jackie.ohalloran@dfa.ie; timoconnor@ireland.com; prenty@att.net; grahame@irishexaminerusa.com; Angela Dean; vinnymurphy@eircom.net; g.mcdonnell3@gmail.com; frankmcmanus5@gmail.com; rory.o.k@hotmail.com; robreem2006@yahoo.com; tracey.monaghan2@gmail.com; benboyle2006@hotmail.com; nell.brady@hotmail.com; aoife.e.butler@gmail.com; johnomurphy75@gmail.com; rrobbins@comptroller.nyc.gov; sandrasheerin@gmail.com; maureen@urandto.com; Trevor.R@travel247.ie; pattij21954@hotmail.com; cian.mccormack@rte.ie; dlyons@lyons-mcgovern.com; JOHNRID@aol.com; ruth@250yearsparadebook.com; patrick.feeney@aig.com; celticT4@aol.com; atwohig@taxback.com; cwilliamson@studentfees.ie; seanmc55@verizon.net; pmhurley04@aol.com; jrogers@stthomas.edu; hkeeley@georgiasouthern.edu; Loretta Glucksman; Kieran McLoughlin; Chris Cahill; rmd@devlin.us; nedaoh1@aol.com; Karen Coyle; rdunne@odblaw.com; John O'Malley; irisharts@primary.net; Mark Tuohy; Adrian Flannelly; aesiv@svcmcnyc.org; joelydon@aol.com; mccartla@shu.edu; John Conlon; Dennis Swanson; hibernia@aol.com; jackiewalsh@iaci-usa.org; jlamb@iiofpitt.org; alkelly1255@sbcglobal.net; mary.buckley@ida.ie; michelle.dervan@enterprise-ireland.com; headon@rice.edu; shay39@comcast.net; kmcocean12@aol.com; William McLaughlin; president@iabcn.org; jfl@irishap.org; fobrien222@aol.com; daisyrings@aol.com; nationaloffice@usairish.org; jennifer@sweeneyharkin.com; aidan@irishartscenter.org; irvoice@aol.com; kevinconboy@paulhastings.com; padmak@iccusa.org; sweans@aol.com; bart@irishlobbyusa.org; jeanmoor@aol.com; John Hartnett; john.stanton@irishic.com; carol.omahony@irishic.com; dmcgoldrick@irishvoice.com; bjodwyer@aol.com; nanaryan713@aol.com; laohbklyn@aol.com; ulstermen@yahoo.com; aldrichdmk@aol.com; jbyrne@tourismireland.com; skjsullivan@comcast.net; Caitlin McCormick; celine@sfiipc.org; George Heslin; halasfamnj@aol.com; fph@iaci-usa.org; majella.oconnell@ul.ie; norita.kelleher@ul.ie; president@ul.ie; bandersson@nycgo.com; jhandy@graceinstitute.org; migrantproject@crosscare.ie; lrichardson@crosscare.ie; liam.odochartaigh@ul.ie; Eamonn.Cregan@ul.ie; oakhampton@gmail.com; danielfsheehan@yahoo.com; kevin.elliott@ida.ie; rory.vandamme@gs.com; mailrobertburke@yahoo.co.uk; herecitycity@gmail.com; squin04@studentmail.dkit.ie; caro@legalprofessionals.us; ike.feeney@gmail.com; info@online-traction.com; sean@murphguide.com; lsullivan@conserveelectric.com; foleysny@aol.com; ruba@mbda.gov; artie@thetop12.com; [dj418@nyu.edu](mailto:djc418@nyu.edu); infocr@earthlink.net; sarahekelly@earthlink.net; alij88@yahoo.com; tjledwith@aol.com; damien.corr@gmail.com; cahir@irishvoice.com; jasonoc@hotmail.com; jeremycolgan@hotmail.com; amcginn@execu-search.com; robert.macgoey@us.pwc.com; max_ny_us@yahoo.com; sarahanne.hughes@investni.com; pohalloran@citytech.cuny.edu; jcisco@iaci-usa.org; joc@netmidas.com; francisfranninn@aol.com; tracyboland18@yahoo.ie; jkelly@goalusa.org; gallagher.initiative@gmail.com; meehanger@hotmail.com; peterthomasheelan@hotmail.co.uk; johnnycollins_101@hotmail.com; vp.international@nuim.ie; eiber413@hotmail.com; gina.reilly@macquarie.com; j-kennedy-87@hotmail.com; odonner1@tcd.ie; jim.t.heneghan@gmail.com; kathymcnevin07@hotmail.com; myles.geiran@dfa.ie; employmentcoordinator@eiic.org; hdeevy@iicenter.org; amtyndall@crosscare.ie; bandgoc@yahoo.com; will@danieldromm.com; dromm@council.nyc.gov; bridgetcmckenna@yahoo.com; robertjmckenna@gmail.com; do@lmllawyers.com; joebrogan@gmail.com; gcobb91839@aol.com; michae9201@aol.com; ynnep7@aol.com; s.burke@rcn.com; mubbins@thesolaire.com; conaltomkins@aol.com; marian@allenhousenyc.com; hurleymar1@aol.com; rknox@rosenyc.com; fmckenna1025@hotmail.com; bgandersson@aol.com; adrian.garvey@mycit.ie; tabosull@optline.net; eoin@irishpubsglobal.com; kellyafitz@yahoo.co.uk; oconghd@gmail.com; sean.d.mcgraw.4@nd.edu; krobins6@nd.edu; jstahl@eiic.org; irish-american.studies@lehman.cuny.edu; shaunamccabe17@gmail.com; conormaguire1984@gmail.com; anne.solari@nyu.edu;

irishrep@irishrep.org; richodon@gmail.com; raymond.sexton@tangible.ie; carroll.pg@gmail.com; Jane@genuitypr.com; Lulu O'Sullivan; craigbarrett@itlg.org; Shyama.Sachi@irishic.com; Jack Kissane; cvarley@chpnet.org; bockagh@aol.com; mmifor@aol.com; fjor.mmi@gmail.com; eilcronin@aol.com; michael.collins@dfa.ie; mcarroll@odblaw.com; pleyden@fitzpatrickhotels.com; alan.stevenson@ocoglobal.com; colm@matthews.ie; john.reilly@ssd.com; lnaughton@choate.com; christine@lunovagroup.com; mloughr@comptroller.nyc.gov; csfarrelly@yahoo.com; acd20@hotmail.com; lucyhk@gmail.com; aidancquinlan@gmail.com; patrickbgriffin@gmail.com; 09005824@studentmail.ul.ie; prenday@hotmail.com; locobaz@hotmail.com; andrepenco@hotmail.com; markberkowsky@nypl.org; j.eagles1@nuigalway.ie; aoife1704@eircom.net; b.geraghty1@gmail.com; rachael@irishartscenter.org; irishpubguide@gmail.com; declan.c@hotmail.com; christyodowd@gmail.com; conor.mcentee153@gmail.com; orlacommunications@gmail.com; rdooling@swbell.net; conordoyle25@gmail.com; horanel@tcd.ie; c.ruane3@nuigalway.ie; tinnertom28@aol.com; community.affairs@nyu.edu; katie.fox@ciic-usa.org; rebeccaduggan@hotmail.com; ciara.mccarthy2@hotmail.com; maryor80@gmail.com; tadhgcrowley@hotmail.com; aonghusms@hotmail.com; ciaranbreslin@gmail.com; deszie@gmail.com; noel.slevin@talk21.com; shanelbeltra@hotmail.com; patrickwolohan@yahoo.com; mackerpaul@hotmail.com; amangujral1989@gmail.com; mmuldoon@irishcentral.com; gwenorel@comcast.net; ciaran@irishlobbyusa.org; lazylepracun@gmail.com; shanedrummond@msn.com; l.conlon1@nuigalway.ie; cathalmaccaba@hotmail.com; fiotoole@tcd.ie; izziedk@hotmail.com; rmillar@iicenter.org; julieskehan@hotmail.com; fiona.haugh5@gmail.com; nboyle500@hotmail.com; nataliedoherty@live.com; niamh.nichonchubhair@axisballymun.ie; rdaibhis@gmail.com; maurice@aschweitzer.org; mcarroll@iicenter.org; weemim1@hotmail.co.uk; michael.j.mellody@ml.com; JJFCO1@aol.com; mel_deane@yahoo.com; sharondécourcey@hotmail.com; shanetcc@aol.com; johnvesey@aol.com; employmentcoordinator@eic.org; paulfarrell13@hotmail.com; mkliche2@yahoo.com; kvaughn@graceinstitute.org; healthyrob@gmail.com; sstorms@etreiber.com; tiernan.walsh@rht.com; dh364@law.georgetown.edu

Subject: Shamrock Fund Launched - Applications Now Being Accepted From Those In New York On J-1 IWT Program

Hi everyone

We have now launched the **Shamrock Fund** SM to support longer-term J-1 visa holders who may be finding it difficult finding employment in the U.S., which is totally understandable in the current economic environment. The Fund will subsidize (or fully pay) the membership of IWT J-1 visa holders to influential Irish American business and cultural organizations in the U.S. Generally speaking, criteria for eligibility will depend on how long one has been seeking employment in the U.S., and a commitment from them to make full use of their membership by attending all of the organization's events, and proactively networking and volunteering for committees.

We thank those of you who have contributed to establishing this Fund which will have ZERO administrative costs i.e. the Fund will have no paid employees, hence all of your hard earned donations will be fully allocated to supporting those in need. However, at least initially,

donations will not be solicited from the general population (inc. those of you on this mailing list) as we believe everyone has enough on their plates as it is, rather donations will be accepted on a discretionary basis from potential funders that we have relationships with. Overtime, we plan to expand the purpose of the Fund to include supporting other worthy causes, while always keeping administrative costs at zero.

We have to make sure that we support our next generation of business leaders by ensuring that our graduates gain valuable experience here in the U.S. which they can then bring back to Ireland to help put it back on track again as one of the most successful economies in Europe. We would like to sincerely thank the following business organizations in New York for supporting Failte 32 and the Shamrock Fund by offering us a special membership rate:

Irish Business Organization - www.IBO-NY.com

Irish International Business Network - www.IIBN.com,

Irish Network-NYC - www.IrishNetwork-NYC.com,

Irish Technology Leadership Group - www.ITLG.org,

By reducing the membership rate we pay, the above organizations, aside from the great networking for employment opportunities they provide, can help us serve more eligible candidates, and possibly pay their annual dues to more than one business or cultural organization.

Applications are currently being accepted from IWT J-1 visa holders in the New York area with Science, Engineering, Arts/History and Law qualifications. We are now asking all of you, particulalry J-1 sponsors and support organizations, to spread the word. Please have them submit their request via the contact section on www.failte32.org, and indicate how long they have been seeking employment in the U.S., their field of study, and how they plan to utilize their membership. We will match suitable candidates with well established organizations in New York, such as those above, that can put them in front of potential employers.

We will begin reviewing applications this month, and will start placing eligible candidates in appropriate organizations towards the end of September.

As the Taoiseach (Irish Prime Minister), Mr. Enda Kenny, T.D., was recently quoted as saying in a speech he made at a Galway Chamber business luncheon back in Ireland "**We all need to pull together, we have a lot to offer and a lot going for ourselves**".

Kind regards

Failte 32 Committee

Failte32 Failte32

To

Maurice Landers

Sep 5 at 11:46 PM

----- Forwarded message -----

From: "Pat Carroll" <carroll.pg@gmail.com>

Date: Sep 1, 2011 8:37 PM

Subject: Re: Shamrock Fund Launched - Applications Now Being Accepted From Those In New York On J-1 IWT Program

To: "Failte32 Failte32" <failte32@gmail.com>

Cc:

Well done Maurice!

Sounds like an excellent initiative.

Careful of publishing all mail recipients openly though, some may use these directly .

Perhaps 'bcc' may be a better way.

Please ignore this advice if you are deliberately doing so for a specific reason,

Best,

Pat

Sent from my iPhone

Regards,

Pat

Pat Carroll

m: +353 86 784 4005

website : <http://www.touchcommunications.ie/>

linkedin : linkedin.com/in/patcarrolltouch

facebook: fb.com/touchcommunications

twitter: @PatCarrollTouch

On 2 Sep 2011, at 01:28, Failte32 Failte32 <failte32@gmail.com> wrote:

Hi everyone

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Kind regards

Failte 32 Committee

Fionuala Pender
To
'maurice landers'
Sep 20, 2011

Hi Maurice,

Please find attached your receipt.

Best wishes,

Fionuala Pender
Executive Director
IIBN
15 Greycoat Place
London SW1P 1SB

www.iibn.com

Connecting Irish Entrepreneurs Globally

IIBN is sponsored by Gates & Partners, Wingrave Yeats, CityJet, Hays Recruitment, Powerscourt, Nolan Transport and Beauchamps Solicitors.

From: maurice landers [mailto:mauricelanders@yahoo.com]
Sent: 19 September 2011 22:35
To: Fionuala Pender
Subject: Re: Receipt

Great, thanks Fionuala. Would you be able to email to Failte32@gmail.com ?

Many thanks

Maurice

From: Fionuala Pender <Fionuala@iibn.com>
To: 'maurice landers ' <mauricelanders@yahoo.com>
Sent: Monday, September 19, 2011 9:40 AM
Subject: RE: Receipt

Hi Maurice,

I will get this off to you today. Can you forward me the correct mailing address.

Many thanks

Fionuala Pender

Executive Director

IIBN

15 Greycoat Place

London SW1P 1SB

www.iibn.com

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From: maurice landers [mailto:mauricelanders@yahoo.com]
Sent: 15 September 2011 15:48
To: Fionuala Pender
Subject: Re: Receipt

Many thanks Fionuala. No rush at all with it.

Talk soon

Maurice

From: Fionuala Pender <Fionuala@iibn.com>
To: 'maurice landers' <mauricelanders@yahoo.com>
Sent: Thursday, September 15, 2011 4:32 AM
Subject: RE: Receipt

Hi Maurice,

Thanks for your very supportive words – much appreciated.

I am in Dublin for the next few days but will action this early next week. Is that ok?

Kind regards,

Fionuala

Fionuala Pender

Executive Director

IIBN

15 Greycoat Place

London SW1P 1SB

www.iibn.com

Connecting Irish Entrepreneurs Globally

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From: maurice landers [mailto:mauricelanders@yahoo.com]

Sent: 15 September 2011 03:34

To: fionuala@iibn.com

Subject: Receipt

Hi Fionuala

Really enjoyed the event last week. You certainly have done a great job this side of the Atlantic . Donal I believe got some good leads out of it.

When you have a chance, could you send me a receipt for Donal's membership. Nothing urgent....at you convenience.

Many thanks

Maurice



IRISHinternational
BUSINESS NETWORK

Donal O'Conghaile
C/O Failte32
Email address: Failte32@gmail.com

17th September 2011

Receipt for IIBN New York General Membership: Membership will expire in September 2012	\$60
	Total: \$60

Many thanks.

For any enquiries contact, Fionuala Pender, Director, IIBN.

IIBN

15 Greycoat Place
London SW1P 1SB
www.iibn.com

Maurice D. Landers
30-80 33RD ST., 3RD FLOOR, ASTORIA, NY 11102
Email: mauricelanders@yahoo.com
Tel. no. 347 827 8713

Representing itself

February 2, 2016

VIA U.S. Mail and Email

Roberto Ledesma
Lewis & Lin LLC, 45 Main Street, Suite 608, Brooklyn, NY 11201-8200
Roberto@ilawco.com

Re: Landers v. Jack and Jill Foundation Limited, Opp. No. 91218260

Dear Mr. Ledesma,

I have reviewed your discovery responses and documents production and found several deficiencies. Pursuant to Trademark Rule 2.120, I request that you make a good-faith effort to immediately supplement your discovery responses and document production as set forth below.

Specific Deficient Interrogatories:

Interrogatory No. 3:

The Applicant states that it “launched a new fundraising appeal, called The Shamrock Fund, in New York on October 24th 2011...”.

It did not. It launched “The Jack and Jill Shamrock Fund”. This is a totally different trademark.

Additionally, the Interrogatory requests the Applicant to “identify all Services in connection with which the Applicant has used a The Shamrock Fund mark in the United States...”.

The Applicant has not identified any Services in its response, rather the Applicant states in the first paragraph of its response to this Interrogatory that “The mark is to be used for charitable fundraising and philanthropic services...”.

“...is to be used..” is a statement of future action, therefore, the Applicant has clearly stated that it has not used The Shamrock Fund mark in U.S. commerce since its priority date of October 26th 2011.

Although “Applicant is not and has not been required to submit evidence of use in the U.S.”, the Applicant is still legally obligated to be continuously using the trademark in U.S. commerce.

Please clearly state that the Applicant has been continuously using The Shamrock Fund mark in U.S. commerce since October 26 2011 in accordance with its obligations under U.S. trademark law.

Finally, incorporating a company does not necessarily result in the provision of a Service.

Interrogatory No. 4:

Re. part sentence “..start of August..”.

Please specify the date?

Re. part sentence “In or around 25 August 2011..”.

Please specify the date.

Taking your response as it is, it seems the only possible documentation the Applicant has of possible first use of The Shamrock Fund mark relates to the date ‘25 August 2011’, three days after the Opposer’s announcement on 22 August 2011 of its impending Shamrock Fund launch.

Interrogatory No. 5:

Second paragraph, part sentence “Prior to the incorporation of the US entity...”.

Please specify the date.

Interrogatory No. 9:

Please provide examples: announcements, blogs, interviews, posts etc.

Interrogatory Nos. 11:

Please list all U.S. states and territories wherein Applicant has rendered the Services.

Interrogatory No. 14:

Please provide nature of the Services for which Mike Hannon and Ruth Croke received compensation. Were these Services related to fundraising, marketing, advertising etc. of The Shamrock Fund mark?

Interrogatory No. 19:

Please provide the U.S. state in which the mark was advertised, and date(s) of advertising.

Interrogatory No. 20:

The Applicant requested the exact same information from Opposer?

Interrogatory No. 22:

Re. part sentence “..implied license”, is there a legal basis to the word “implied”?

Interrogatory No. 23:

Please provide location and address of all services offered under The Shamrock Fund mark and the corresponding dates of use for each location (for each of the trade channels listed under Interrogatory No. 9)

Interrogatory No. 24:

Please explain what you mean by “The Shamrock Fund mark has been the mark used to promote the Applicant’s appeal since its US trademark application to register the mark was filed. What do you mean by “appeal”?

The Applicant has not provided any evidence of ‘use’ so far, so I’m not quite sure how it can claim not to have ever ceased use?

Interrogatory No. 31:

Please provide documentation which will demonstrate the provision of current Services (proof of service) i.e. emails or other communications, receipts, disbursements etc. that will verify the service provided by the Applicant in the normal course of business under The Shamrock Fund (for example emails and receipts similar to those provided by Opposer). Please feel free to redact commercially sensitive information as long as the documentation can still demonstrate proof of service.

Specific Deficient Document Requests:

Response Nos. 1-12, 14, 16-24:

How can the Applicant object to the Requests made by Opposer, having made the exact same Requests of Opposer in its (Applicant’s) Document Requests, and which the Opposer made a good-faith effort to provide? How can the Applicant object to, on grounds of being vague, overbroad, unduly burdensome etc., Requests that Applicant itself made

of the Opposer? The documents/Responses provided by the Applicant are 'severely' deficient including when compared to the responses provided by Opposer to the Applicant's document requests (and the Opposer is a relative novice compared to the Applicant's lawyer). Applicant must supplement its responses to these requests.

For example:

1. Re. Response No. 11 – the document provided (R11. Accounts) seems to predominately detail costs associated with applying for The Shamrock Fund trademark as opposed to identifying costs associated with advertising, marketing or promotion of Services offered by Applicant under The Shamrock Fund mark.

Response No. 15:

How can you be legally using The Shamrock Fund mark if you cannot provide documents sufficient to identify the geographic scope of the consumer base to which Applicant markets and offers Services under THE SHAMROCK FUND mark?

Re. documents submitted titled R5. JJ Use & R1. ML USE

I'm curious as to why you would include such a limited document evidencing 'use' (R5. JJ Use) if you're then going to claim in your answers to interrogatories relating to 'use' that "...Applicant is not and has not been required to submit evidence of use in the U.S."?

Is this because the Applicant has never used The Shamrock Fund in U.S. commerce since it trademarked (stole) The Shamrock Fund mark, and has no other documents evidencing 'use'?

I find it troubling that the Applicant would include reference to a website in Hawaii as representing use by the Opposer (R1. ML Use). The Opposer made it clear in its communications with the Applicant that it has no connection whatsoever with this website, which is most likely a default website used by domain companies when a registered domain name does not yet have a website. This approach by the Applicant attests to either its ignorance of the domain name business or the Applicant's propensity to mislead; in this case try to win this opposition based on the provision of a seemingly misleading discovery document that implies something that is not true. This type of seemingly misleading approach by the Applicant may even add credence to the Opposer's allegation of fraud on the part of the Applicant.

Conclusion

I look forward to receiving your immediate response, along with the requested documents and information, no later than Monday, February 8, 2016.

If you would like to discuss, or if we need to meet and confer on any of these issues, please let me know immediately.

Sincerely,
/Maurice D Landers/
Maurice D Landers

February 9, 2016

VIA U.S. Mail and Email

Maurice D. Landers
30-80 33RD ST 3RD FLOOR
ASTORIA, NY 11102
Email: mauricelanders@yahoo.com

Re: Landers v. Jack and Jill Foundation Limited, Opp. No. 91218260

Dear Mr. Landers,

We have reviewed your deficiency letter dated February 2, 2016. I note that your discovery requests and your deficiency letter have all been mirrored requests based on the discovery requests and deficiency letter we sent you. That is to say, you have basically copied our requests and deficiency concerns and reissued them to us. While you may ask us the same questions, we have no obligation to respond in kind. This is because you are the Opposer in this matter (in the position of the plaintiff) – my client is the defendant. You bear the burden of proof in this dispute and the evidence needed to support that burden is not shared by both parties. Please understand the following: (1) my client owns a constructive date of first use based on a trademark application filing date with a priority claim of **October 14, 2011** (not October 26, 2011, which you repeatedly inaccurately reference); and (2) my client does not need to demonstrate use in U.S. commerce after October 14, 2011 to defend this dispute and the claims you have brought.

That being said, we respond to the deficiencies raised as follows:

Interrogatory No. 3:

Applicant has adequately responded to this interrogatory. Moreover, Applicant objects to the statements made in your deficiency letter as argumentative, irrelevant and unsupported by documents produced by Applicant. Applicant further notes that the incorrect priority date is referenced (see above).

Finally, Opposer states “the Applicant is still legally obligated to be continuously using the trademark in U.S. commerce ...” Applicant objects as this is an inaccurate statement of law and Applicant’s “obligations.”

Interrogatory No. 4:

Applicant has adequately responded to this interrogatory. Applicant directs Opposer to the attachment labeled “R2. Origination” in responses served January 26, 2016.

Interrogatory No. 5:

Applicant has adequately responded to this interrogatory. Applicant directs Opposer to the attachment labeled “R4. US Entity” in responses served January 26, 2016.

Interrogatory No. 9:

See attachment labeled “R5. JJ Use” in responses served January 26, 2016.

Interrogatory No. 11:

Applicant has rendered charitable services in New York state and marketed its services throughout the U.S.

Interrogatory No. 14:

Mike Hannon organized a trip in 2011 to NY for two of the directors, Mary Ann and Jonathan to meet potential donors. Ruth Croke heads the U.S. office.

Interrogatory No. 19:

Applicant has adequately responded to this interrogatory. Applicant further objects to this interrogatory as irrelevant and duplicative.

Interrogatory No. 20:

Opposer’s burden and obligations in this dispute differ from Applicant’s. Notwithstanding the above, Applicant responds as follows: Opposer’s mark.

Interrogatory No. 22:

Applicant has adequately responded to this interrogatory.

Interrogatory No. 23:

Applicant has adequately responded to this interrogatory. Applicant further objects to this interrogatory as irrelevant and duplicative. Notwithstanding the above, Applicant directs Opposer to the attachment labeled “R5. JJ Use” in responses served January 26, 2016.

Interrogatory No. 24:

“Appeal” refers to Applicant’s fundraising endeavor. See attachment labeled “R5. JJ Use” in responses served January 26, 2016.

Interrogatory No. 31:

Applicant has adequately responded to this interrogatory. Applicant further objects to this interrogatory as irrelevant and duplicative. Notwithstanding the above, Applicant directs Opposer to the attachment labeled “R11. Accounts” in responses served January 26, 2016 and the attached invoices.

Documents Requests Response Nos. 1-12, 14, 15, 16-24:

Applicant has adequately responded to these requests. Applicant further objects to these requests as irrelevant, argumentative and duplicative. As explained above, it is Opposer’s burden to show use that predates Applicant’s priority date. Notwithstanding the above, Applicant directs Opposer to the attachment labeled “R11. Accounts” in responses served January 26, 2016 and the attached invoices.

If you would like to discuss, or if we need to meet and confer on any of these issues, please let me know immediately.

Sincerely,
/Roberto Ledesma/
Roberto Ledesma

Sent: Friday, October 07, 2011 02:23 PM
Subject: Message from Loretta

Dear Friends,

Great friends of the Fund and founders of the Jack and Jill Children's Foundation, Senator Mary Ann O'Brien and Jonathan Irwin, are launching *The Jack and Jill Shamrock Fund* in New York. Please see the invitation attached. We are delighted to welcome you and a guest to this very special reception on:

Date: Monday, October 24th

Time: 6.00pm

Venue: Lily O'Brien's Café- 36 West 40th Street (between 5th & 6th Avenues)

Please RSVP to iconlan@irlfunds.org



With very best wishes,

Loretta Brennan Glucksman
Chairman
The American Ireland Fund

The Jack & Jill Children's Foundation (Jack & Jill)

(https://www.ammado.com/nonprofit/jack--jill)

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Launch of Shamrock Fund Appeal in New York City

Published by: The Jack & Jill Children's Foundation (https://www.ammado.com/nonprofit/jack--jill)

21 Oct 2011 20:42 GMT

Founders of the Jack and Jill Childrens Foundation Jonathan Irwin and his wife Senator Mary Ann OBrien will be visiting New York City to tell the story of Jack Jill and to launch The Shamrock Fund on

Read the full article (a new window will open) (https://www.ammado.com/redirect/external?url=https%3a%2f%2fwww.jackandjill.ie%2f2011%2f10%2flaunch-of-shamrock-fund-appeal-in-new-york-city%2f)

The content of the original article may have changed since the publication.

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14 May 2012 15:51 GMT

Dundalk Institute of Technology cheque presentation for Jack & Jill (https://www.ammado.com/nonprofit/jack--jill/articles/59975)

10 May 2012 15:50 GMT

This Saturday in Mallow it's a Jack & Jill day! (https://www.ammado.com/nonprofit/jack--jill/articles/59571)

04 May 2012 15:48 GMT

API integration (https://api.ammado.com/) Jack and Jill Run Up The Hill (https://www.ammado.com/nonprofit/jack--jill/articles/59242)

01 May 2012 15:47 GMT

Microsite development (https://ammadosupport.zendesk.com/hc/articles/203359405)

Company Profile (https://www.ammado.com/nonprofit/jack--jill/articles/59186)

30 Apr 2012 15:46 GMT

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NEW YORK RADIO STATION INTERVIEWS JONATHAN IRWIN & MARY ANN O'BRIEN

Posted on November 14, 2011 by deirdre — 0 Comments

New York Radio Station Host Adrian Flannelly interviews Jack & Jill Founders Jonathan Irwin & Mary Ann O'Brien. during their recent trip to New York to launch the Jack & Jill Shamrock Fund Appeal

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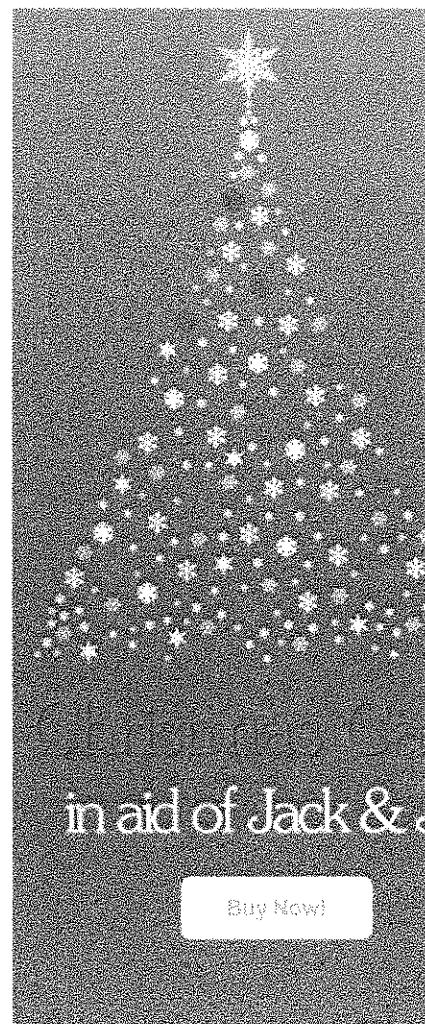
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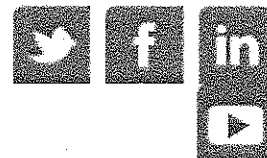


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LAUNCH OF SHAMROCK FUND APPEAL IN NEW YORK CITY

Posted on October 21, 2011 by deirdre — 0 Comments

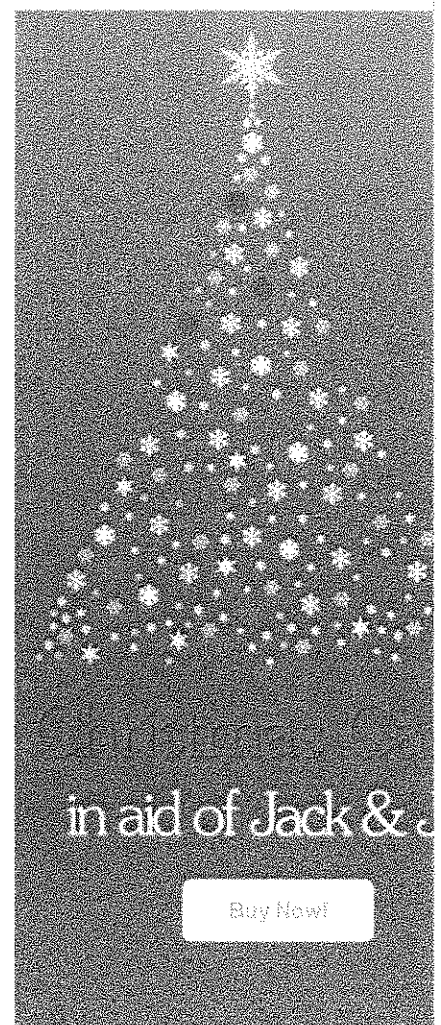


Founders of the Jack and Jill Children's Foundation Jonathan Irwin and his wife Senator Mary Ann O'Brien will be visiting New York City to tell the story of Jack & Jill and to launch The Shamrock Fund on Monday the 24th of October.

The Shamrock Fund is an appeal to the Irish Diaspora in the US to help the Jack & Jill Children's Foundation to continue to ensure that no child or their families will ever again face the isolation and desperation that Mary Ann and

Jonathan faced back in 1996 when they brought their son Jack home from the hospital.

The Official launch of the Shamrock Fund will take place at Lily O'Brien's Chocolate Cafe on Monday October 24th 2011.



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**Jack and Jill Children's Foundation**

21 October 2011 ·

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Founders of the Jack and Jill Children's Foundation Jonathan Irwin and his wife Senator Mary Ann O'Brien will be visiting New York City to tell the story of Jack & Jill and to launch The Shamrock Fund on Monday the 24th of October. For more details logon to our website on www.jackandjill.ie



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Carolyn Ashe Good Luck

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Mary Flood Byrne Best of luck

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Cathy Nolan Go get them

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Marie Quaid Best of luck, you are simply wonderful people

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Carrie Moore The very very best of luck, amazing foundation that does so much for families that need support and help.

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24th October, 2011

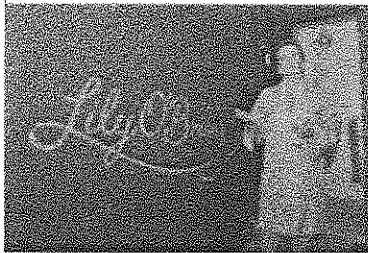
Location: Lily O'Brien's Chocolate Café

Founders of the Jack and Jill Foundation Jonathan Irwin and his wife, Senator Mary Ann O'Brien visited New York City to launch the Shamrock Fund on Monday, October 24th 2011. The launch was held in Lily O'Brien's Chocolate Café midtown Manhattan and attended by Loretta Brennan Glucksman, Chairman of The American Ireland Fund and Kieran McLoughlin, President and CEO Worldwide Ireland Funds. American Ireland Fund Board members and key Young Leaders also welcomed both Jonathan and Senator Mary Ann on the night.

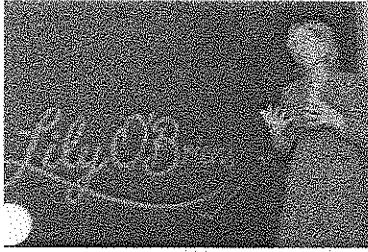
Senator Mary Ann shared the story of her son Jack, his illness and death and how the Jack and Jill Foundation became established in his memory. Today, the Jack & Jill Foundation provide care and support for children with severe neurological development issues, as well as offering some respite to the parents and families. The Shamrock Fund is an appeal to the Irish Diaspora in the US to help the Jack & Jill Children's Foundation to continue to ensure that no child or their families will ever again face the isolation and desperation that Mary Ann and Jonathan faced back in 1996 when they brought their son Jack home from the hospital.

Both Loretta Brennan Glucksman and Kieran McLoughlin spoke warmly about the Jack and Jill Foundation and the importance of its work in caring for sick children and their families. Both also wished Mary Anne and Jonathan well in their quest for support from the Irish Diaspora in the US.

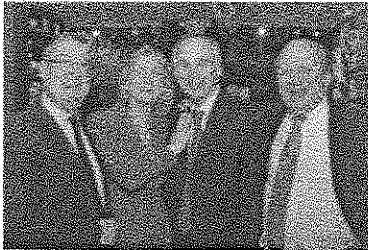
Guests were treated to delicious Lily O'Brien chocolates as well as champagne and strawberries on arrival.



1 Loretta Brennan Glucksman



2 Senator Mary Anne O'Brien



3 Kieran McLoughlin, Senator Mary Anne O'Brien, John Fitzpatrick, Jonathan Irwin



4 Mike McGrath, Kevin Mulloody and Kevin Murray



5 Joe Madden, Margaret Dorgan, Liadain Conlon, Peter Ryan



6 Senator Mary Anne O'Brien, Loretta Brennan Glucksman, Jonathan Irwin



7 Mike McGrath, Tara McCabe, Pat Tully



8 Kieran McLoughlin, Kevin Murray, Loretta Brennan Glucksmen

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